



CALL TO ORDER & ATTENDANCE

Chair Pete Woll called the August 8, 2022, 310-meeting to order at 7:00 P.M. in the conference room.

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

Board members absent: Absence is excused.

Also, in attendance were Samantha Tappenbeck, Ginger Rigdon, Jessie Walthers and Ginger Kauffman, Staff; Kenny Breidinger, FWP; Steve Shapero; Erik Garberg; Bill Whitsitt; Mikel Siemen, CORE Watershed Consulting; Anna McCabe; Stephanie Trehitt; Paul & Kathy Kusler; Connie Valentine; Clayton & Cindy Patterson; Nathan Lucke; Victor Fryling.

CONSENT AGENDA

Consent Agenda Item 1: Signature Authority

- Authorization for Samantha Tappenbeck to sign on behalf of Supervisors attending the meeting virtually.

Consent Agenda Item 2: Tabled 310's

- Buck, FL-2021-041C, Stoner Creek, complaint
 - Tabled until remediation work completed under FL-2021-106
- Turner, FL-2021-081C, Swan River, complaint
 - Tabled until FL-2022-008 is completed

Consent Agenda Item 3: Meeting Minutes

- 6/13/2022 310-Meeting Minutes
- 6/14/2022 Special Meeting Minutes
- 7/19/2022 Budget Meeting Minutes
- 7/25/2022 Business Meeting Minutes

Consent Agenda Item 4: Financial

Check Detail dated 8/3/2022

- Byte Savvy \$130.00
- Flathead Beacon \$528.00
- Montana Sky Networks Inc. \$10.00
- Mountain States Leasing – Kalispell \$3769.72

Consent Agenda Item 5: Correspondence

Pete Woll noted that the Trehwitt application will have to be removed from the consent agenda. Donna Pridmore motioned “to approve the consent agenda with the exception of the Trehwitt application.” Verdell Jackson seconded. Motion carried unanimously.

PUBLIC COMMENT

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

310 Onsite Inspections

Averill, FL-2022-047, Cow Creek, utilities: John Ellis motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. Kenny Breidinger stated he did not need to do an onsite inspection however the bore depth must be 5-feet below the stream. John Ellis motioned “to approve the application with modifications. The boring must be 5-feet below the lowest part of the stream, per the Adopted Rules Q.2.b. The onsite inspection is waived. The 15-day waiting period is waived.” Donna Pridmore seconded. Motion carried unanimously.

Big Sky Investments LLC, Garnier Creek, planned unit development: John Ellis motioned “this is a project.” Roger Marsonette seconded. Motion carried unanimously. An onsite inspection was scheduled for Wednesday, August 17, 8:30 A.M. at the site

Burden, FL-2022-050C, Krause Creek, complaint: An onsite inspection was scheduled for Thursday, August 30, 9:00 A.M. at the site.

Fryling, FL-2022-048, Logan Creek, dock: Verdell Jackson motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. An onsite inspection was scheduled for Friday, August 26, 11:45 A.M. at the site.

Guy, FL-2022-051, Ivy Creek, pump & well: John Ellis explained that the landowner was required to submit a 310-permit application in response to a complaint. John Ellis motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. An onsite was set for Wednesday, August 17, 11:00 A.M. at the site.

Kusler, FL-2022-044, Flathead River, dock: Pete Woll motioned “this is a project.” John Ellis seconded. Motion carried unanimously. An onsite inspection was scheduled for Wednesday, August 31, 9:00 A.M. at the site.

Lucke Revocable Trust, FL-2022-043C, Flathead River, complaint: Pete Woll explained a complaint response was received 7/25/2022. An onsite inspection was scheduled for Wednesday, August 31, 10:00 A.M. at the site.

Shapero, FL-2022-045, Flathead River/ Eagle Bend, lift dock & fill: Pete Woll motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. An onsite inspection was scheduled for Wednesday, August 31, 11:30 A.M. at the site.

Trewhitt, FL-2022-025, Logan Creek, crossing: Samantha Tappenbeck explained the application had been tabled due to high water levels. The applicant notified the district that the water levels have dropped down and an onsite could be scheduled. Verdell Jackson motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. An onsite inspection was scheduled for Friday, August 26, 10:30 A.M. at the site.

Valentine, FL-2022-049, Stillwater River, riprap: John Ellis motioned “this is a project.” Donna Pridmore seconded. Motion carried unanimously. An onsite inspection was scheduled for Wednesday, August 17, 1:30 P.M. at the site.

310’s

Bigfork Harbor Homeowner’s Association, FL-2022-039, Swan River, riprap: Gordon Ash explained an onsite inspection was held 7/20/2022. Erosion undercut the bank due to the highwater event and wave action. Work will be done between the existing docks, and all established vegetation will be protected to the extent possible. At pier 65 there was a large bolder inhibiting docking; that will be fractured and removed. Leo Rosenthal noted that work will begin during the winter when the lake is at its lowest. Pete Woll motioned “to approve the application with modifications per the Team Member Report. The start date is 12/15/2022.” Scott Rumsey seconded. Motion carried unanimously.

Guy, FL-2022-028C, Flathead River tributary, complaint: John Ellis stated the complaint was determined to be a violation, and the landowner was required to submit a 310-application for work done. An application was received on 8/4/2022. John Ellis motioned “to close the complaint since we have obtained a 310-permit application for the work.” Donna Pridmore seconded. Motion carried unanimously.

Hodge, FL-202-015C, Stillwater River tributary, complaint: Ginger Rigdon explained the complaint has been tabled since June waiting for additional information from the complainant. No additional information has been submitted to date. The complaint only stated *stakes for a driveway*. Kenny Breidinger stated he and Lech Naumovich viewed the visit from the highway by the Stillwater Bar, however they could not see a stream and the driveway went up the hill. Gordon Ash added that the stakes they saw were in a barrow ditch, but there was no creek at that spot. John Ellis motioned “to table the complaint until the September 310-meeting.” Verdell Jackson seconded. Motion carried unanimously.

Inspiration Drive Properties, FL-2022-007, Whitefish River, dock: John Ellis explained that Casey Malmquist is working with the City of Whitefish to decouple his project from the trail. John Ellis motioned “to table the application until further information is received.” Donna Pridmore seconded. Motion carried unanimously.

Kuhns Road LLC, FL-2022-012C, Stillwater River tributary, complaint: Verdell Jackson explained the complaint stated *excessive disruptions of wetlands and tributaries are possible*. The site was viewed on 7/22/2022. It is a pond but not an in-stream pond. It is groundwater fed and there is no diversion. Kenny Breidinger noted that the landowners were going to pump water out of their well into the pond. Verdell Jackson motioned “the pond is not within the district’s jurisdiction and not a violation.” Donna Pridmore seconded. Motion carried unanimously.

Patterson, FL-2022-041E, Garnier Creek, Emergency: John Ellis explained an onsite inspection was held 7/21/2022 for an emergency due to flooding. The stream was approximately 30-feet below the road, and it completely washed out the road. The landowner put in a new culvert and built the road back. John Ellis motioned "is an emergency." Donna Pridmore seconded. Motion carried unanimously. John added that after viewing the site, it was decided that the landowner needs to submit a 310-permit application to revegetate and stabilize the downstream portion of the stream to complete the project. John Ellis motioned "to modify the emergency action. The applicant must submit a 310-permit application within 90 days to revegetate and stabilize the downstream portion of the stream to complete the project." Donna Pridmore seconded. Motion carried unanimously. The landowners discussed financial issues with the project. Samantha Tappenbeck explained that the district has landowner assistance programs which they can apply for.

Radtke, FL-2022-038, Swan River, riprap: Gordon Ash explained an onsite inspection was held 7/20/2022. The new rip rap is a layer added on top of the existing rip rap for the extent of the property. The angular rock meets the Adopted Rules. The modification is to move the boat ramp upstream just below the existing floating dock. Gordon reviewed the considerations in the Team Member Report. Leo Rosenthal stated that the contractor wants to place 4-5 larger boulders into the riprap to break up the pattern of the rock. Riprap will not exceed one foot above the highwater mark. Leo noted that this is a continuation of work they have already done. Pete Woll noted that most of the riprap is under water. Gordon added that there are gaps that would allow vegetation to grow up in. Pete Woll motioned "to approve the application with modifications per the Team Member Report." Donna Pridmore seconded. Motion carried unanimously.

Saurey, FL-2022-037E, Unnamed, Emergency: John Ellis explained the stream overflowed into the landowner's driveway, so they placed sandbags and rock along the driveway to try to keep the water out. An onsite inspection was held on 7/21/2022. The actions taken were appropriate for the emergency, no further work needs to be done. Kenny Breidinger stated what he did was reasonable to provide himself access. There is a problem area with two side by side culverts that sometimes do not pass flow. There have been times in the past that the landowner has had water over his driveway, but this was an especially large flow this time and washed out a lot of the fill. The landowner would like to replace the culverts and will submit a 310-permit application if he does decide to do this. John Ellis motioned "the emergency action is approved, and no further action is required by the landowner or applicant." Roger Marsonette seconded. Motion carried unanimously.

Stutzman, FL-2022-042, Ashley Creek, placement of fill: Donna Pridmore explained an onsite inspection was held 7/21/2022, and they walked the entire area of the stream. Donna Pridmore motioned "this is not in our jurisdiction." Scott Rumsey seconded. Motion carried unanimously.

NEW BUSINESS

Supervisor Pay Rate: Ginger Kauffman explained that she had mistakenly initiated the hourly rate increase for the supervisors on pay period #16 instead of #17 as specified in the previous motion. John Ellis motioned "to amend the previous motion to increase the supervisor pay rate from \$15/hour to \$20/hour to begin on pay period #16." Donna Pridmore seconded. Motion carried unanimously.

MATTERS OF THE BOARD/STAFF

Adopted Rules Updates: Scott Rumsey asked what the process is to update the Adopted Rules, specifically regarding the addition of vegetation into rip rap projects. He thought that in the past vegetation was incorporated into rip rap, but he could not find it in the current Adopted Rules. Pete Woll stated that the requirement of vegetation can be added as a modification in the Team Member Report.

Possible Violation, Flathead River, motorized recreation: John Ellis explained that during a follow-up inspection the landowner questioned if his neighbor was acting lawfully by having vehicles on the riverbank. Discussion held regarding damage to the bed and banks of streams, people driving in/through streams without permits, landing helicopters on the gravel bars and in wilderness areas, camping on the streambanks and gravel bars, and access issues. John noted that he will contact the landowner to let him know that if there is evidence of new projects or damage to the bed and banks of the stream, then he could submit a complaint and photos.

Area V Meeting: Samantha Tappenbeck explained Flathead CD is hosting the Area V meeting on October 5. She is looking into options for venues, catering, registration, and field trips. The two options are 1) Diamond B event facility on Flathead River, which could accommodate attendees and catering, and would provide a good opportunity to view the monitoring point for and discuss the Flathead River Erosion Study. 2) Swan River Community Hall, which is very reasonably priced, and can also accommodate attendees and catering. The field trip would be to the restoration project on Krause Creek. Samantha discussed costs and explained that a registration fee is required to cover the costs. The Board discussed venue preference, costs, and field trip options.

Supervisor Emails: Last year Flathead County hosted a supervisor's workshop and noted that as a best practice, organizational emails should be used instead of personal emails. Samantha Tappenbeck stated the district purchased organizational email licenses; however, they have been problematic for some supervisors. Discussion held regarding set up and functionality issues, IT support, and email preferences. Samantha noted that new business cards will be ordered and will list contact information.

Fair signup: Samantha Tappenbeck asked supervisors to sign up to help in the fair booth August 17-21, located in the Search & Rescue building.

Flathead Waters Clean-Up: Samantha Tappenbeck encouraged supervisors to sign-up for the Flathead Waters Clean-Up Event on Saturday, August 13th, 4:00 to 8:00 P.M. An after party will be held at Sacred Waters Brewing. Staff noted they could send the sign-up link to Supervisors.

The next business meeting is scheduled for Monday, August 22, 2022, 7:00 P.M. via ZOOM.

Adjournment: John Ellis motioned “to adjourn. Donna Pridmore seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 9:00 P.M.

Submitted By:
Ginger Kauffman
Administrator

Reviewed By:
Samantha Tappenbeck
Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>9/12/2022</u> (Date)	<u>Pete Woll</u> (Signature)	<u>Chair</u> (Title – Chair etc.)
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