

MINUTES DRAFT  
Of the July 16<sup>th</sup>, 2009  
Woods Bay/Bigfork 440 Working Group  
Held at 7:30am Harvest Foods, Bigfork

Chairman George Darrow is absent. The following members present: Jim Frizzel, Greg Poncin (DNRC), Kevin Gownley, Paul Rana, Tracy Reiling, Clarice Ryan, Kitty Rich. Attending guests were Bill Meyers and Kirk Mackenzie

Minutes of the June 8<sup>th</sup> meeting were reviewed and motion made to accept as written was approved.

Bill Meyers wanted it noted that we will need to be creative and not work with only things that have been done in the past. Just because DNRC feels it may not be appropriate or will not work, does not mean that the Land Board, the ultimate authority, may feel otherwise and approve.

On the creation of a non-profit entity that would be able to take monetary donations, Bill Meyers contacted Diane Conradi, a lawyer from Whitefish. She sent a letter with information on starting a corporation with tax exempt status. See attached (Which we need to get from Bill, He left before giving it to me). The corporation part is easy but the tax exempt part gets more complicated. Diane is willing to help but would require payment.

Kevin Gownley has been in contact with George Darrow and he has said the Crown of the Continent group may be willing to help with some legal expenses.

Jim Frizzel brought up the possibility of using the Community for a Better Bigfork, a tax exempt corporation already set-up. Bill warned against, suggesting it would be in the better interest of the long term, to have a single issue 440 corporation set up. He worried about conflicting issues and interests, which may arise with in the Community for a Better Bigfork organization.

Kitty Rich reminded us of the Owen Sourwine non-profit and wondered if we could find out how they approached it.

Bill Meyers as well as Diane Conradi have made un-named contacts, and found there is a political will to see this project done and work for the community. Again, the Land Board will make the final decision.

Greg Poncin asked Kevin Gownley about the response to the letter requesting access from the Delaro Ranch Homeowners, brought to the last meeting. Kevin reported the landowners are ready to set-up a meeting with Greg for discussion. Greg and Kevin will work out a date before our next meeting. Greg and Norm Kuennen a right-away agent with the DNRC, have reviewed the Red Gate access and along with input from an experienced road construction contractor, have established it is likely feasible to construct a road that meets County standards for grade and curve radius. It is possible but would be expensive. Lake County Commissioner Paddy Trussler has stated he has no issues with getting the easement through but would want to see NO public access from this point. DNRC has agreed with the Commissioner that it would not seek rights in the name of the public, as they already have legal access by non-motorized means. Kevin worries if the cost of the road warrants the monies that would be generated from the access. Also a concern is the gated, no access point. We all know this will not prevent access and damage at the gated area. When you provide the space it will be used.

Bill Meyers wondered about the possibility of using private contractors to build the road. We will wait to see the outcome of the meeting before looking into things that may be mute points.

Greg said the road construction contractor threw out a very preliminary number to build the road; roughly \$40,000.00 per mile. As a reminder, the last income from this property was \$17,000.00 generated from timber harvest in 1953. The DNRC will get permanent access to the viable harvest area, roughly 120 acres, and have means for management (timber, roads, weeds, recreation). We still have much to accomplish.

Motorized use will be a big issue to address. Bill Meyers also wanted the issue of horseback riding to be addressed as to the close proximity of the Saddlehorn subdivision. The no development issue as part of our 7 goals is another issue, as well as liability.

The Recreation Lease concept is new to this area. Recreation is a classification of use that has been unrecognized by the DNRC. They historically provide recreation access but have no infrastructure to handle the issues that come with rec. use, garbage removal, trail maintenance, etc...

Bill mentioned the time is ripe to move on the recent offer from the DNRC. We need to set-up an entity and he would like to get permission from the group to get started. Kitty feels we would need public input. Bill reminds this group was formed from the public meetings and tasked with saving the 440. This process could take 6 months and we need to be able to accept funds ASAP.

Bill Meyers makes a motion to move forward on starting a 501.c3 corporation. The purpose, to negotiate with the DNRC to create a lease or permanent resolution to meet our goals.

Following discussion of exploring the possibility of using an entity already in place, saving time and money, the motion was not seconded and tabled to explore.

Kirk Mackenzie asked Greg if a current 501.c3 group wanted to make a move on the current offer, what would be the procedure. Greg informed a written letter of intent would need to be presented to the DNRC. It would need to be a fair deal representing all of the 7 goals established by the committee.

Kevin reminds we will be achieving a new way to solve these types of problems that others in the state will follow.

The question of who owned the 440 before DNRC....Greg thought the Federal Government.

Next meeting is scheduled for Tuesday August 11<sup>th</sup>, 7:30 am at Harvest Foods (IGA) Cafeteria.  
Meeting adjourned