

August 31, 2010

To: The Honorable Mayor and Whitefish City Council

Re: Amendment No 3. And Restatement of Interlocal Agreement

We, the undersigned are responding to the negotiations between the city of Whitefish and the County regarding the current City/County Interlocal Agreement covering joint planning for the two mile area surrounding the city of Whitefish (the Planning Jurisdiction or “doughnut.”) We are opposed to Amendment No. 3 and Restatement of Interlocal Agreement that was recently released for your consideration, for the following reasons:

- Amendment No. 3 fails to provide direct local representation on planning issues affecting the Whitefish community;
- Amendment No. 3 continues to pit the City and the County against each other when it allows either party to withdraw from the agreement with a year’s notice; and
- Amendment No. 3, because of this withdrawal clause, creates an unacceptable level of uncertainty for long term planning, property values, and investment decisions by homeowners and businesses within our community.

We support the existing Interlocal Agreement with the inclusion in this agreement of a solution which would retain decision-making within the Whitefish community by establishing an elected Community Council. This Community Council would directly represent the residents of the joint City/County two-mile Planning Jurisdiction surrounding the city of Whitefish. This solution, and the process it would establish, is described in detail in the attached Draft Resolution.

During the meetings of the City/County Interlocal Agreement Committee this spring, it was repeatedly stated that the key issue regarding the existing IA was and is the lack of elected representation for residents of the doughnut. In other words, the IA granted planning and zoning authority to the city of Whitefish and yet doughnut residents are unable to vote for the City Councilors who have final say in making decisions regarding their properties. However, in attempting to resolve the issue of representation in the doughnut, the Committee did not explore alternative options for providing representation. Instead, it went forward on the assumption that, because residents in the doughnut are able to vote for County Commissioners, simply giving the County Commissioners final authority in decisions involving land use in the Planning Jurisdiction would adequately resolve the issue of representation and thereby allow for settlement of the lawsuits.

We speak for what we believe is a majority of residents in the Planning Jurisdiction who are not satisfied with the level of representation which has been offered through these negotiations as presented in the recently released Amendment No. 3 and Restatement of the Interlocal Agreement.

We bring forth the attached Resolution as a solution which will permanently resolve the issue of representation in the doughnut, while at the same time keeping decisions regarding planning and zoning firmly within the control of the Whitefish community. This solution was created as a

collaborative effort among concerned citizens of the Whitefish community, including City and Planning Jurisdiction residents, consultants and attorneys.

We have earlier presented this Resolution and solution to the County Commissioners for their support and are copying them with this renewed request for their consideration again. We now intend to move forward in gathering signatures in support of this solution from residents of both the City and the Planning Jurisdiction, as the issue of representation and planning in the doughnut is a critical issue for all members of the greater Whitefish community.

We are asking for the Whitefish City Council to review this Resolution and the concerns this letter identifies and take the following actions:

1. Dismiss Amendment No. 3 and Restatement of Interlocal Agreement; and
2. Direct the Interlocal Agreement Committee to integrate the process outlined in the attached Resolution as an amendment into the existing Interlocal Agreement.

Doing so will best protect the collective interests of residents in this joint planning area by offering meaningful representation and input to all residents whose property is affected by planning and regulation carried out by the City. This solution will also facilitate the resolution of the current legal action between the City and County and remove the incentive for future legal action based on insufficient representation for citizens of the doughnut. Thank you for your time and consideration.

Signatures included on the attached Signature Pages

Signature Page for 8/31/0010 Letter to Whitefish City Council regarding
Amendment No. 3 and Restatement of Interlocal Agreement:

Klaus Heinrich	610 Monegan Road, Whitefish	406-862-4356	Doughnut
Joaquenia Heinrich	610 Monegan Road, Whitefish	406-862-4356	Doughnut
Frank Sweeney	350 Lost Coon Trail, Whitefish	406-862-6451	City
Paula Sweeney	350 Lost Coon Trail, Whitefish	406-862-6451	City
Julie Perchy	390 Missy Lane, Whitefish	406-862-3721	Doughnut
Doug Chadwick	230 Missy Lane, Whitefish	406-862-4351	Doughnut
Richard Zoellner	1365 Voerman Road, Whitefish	406-862-5258	Doughnut
William E. Moore, Jr.	1875 Lacy Lane, Whitefish	406-862-1619	City
Yvette B. Moore	1875 Lacy Lane, Whitefish	406-862-1619	City
Mary Person	325 Blanchard Lake Road, Whitefish	406-862-5751	Doughnut
Dru Jackman	830 Highland Drive, Whitefish	406-862-2400	Doughnut
Chris Schustrum	504 Spokane Avenue, Whitefish	406-862-3440	City
Alan Elm	425 Glenwood, Whitefish	406-253-0724	City
Nancy Woodruff	568 Somers Avenue, Whitefish	406-862-5751	City
Marilyn R Nelson	565 Blanchard Lake Road, Whitefish	406-862-4642	Doughnut
Rebecca A Norton	530 Scott Avenue, Whitefish	406-862-0629	City
Darlene Bestwick	230 Lost Coon Trail, Whitefish	406-862-1246	Doughnut
Don Bestwick	230 Lost Coon Trail, Whitefish	406-862-1246	Doughnut
Rhonda Fitzgerald	40 Lupfer Avenue, Whitefish	406-862-7426	City
Ian Collins	898 Blue Heron Drive, Whitefish	406-270-7047	Doughnut
Kenneth F. Cordozza Jr.	150 Lost Coon Trail, Whitefish	406-250-6038	Doughnut
Mark Svennungsen	1465 Lakeview Drive, Whitefish	406-862-2043	Doughnut
Nancy Svennungsen	1465 Lakeview Drive, Whitefish	406-862-2043	Doughnut
Mike Jopek	170 Blanchard Lake Drive, Whitefish	406-250-1184	Doughnut
Rick Nelson	565 Blanchard Lake Road, Whitefish	406-862-4642	Doughnut