

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: JULY, 2009

## BCC = BOARD OF COUNTY COMMISSIONERS

BC = Commissioner Bill Carey, Chair

JC = Commissioner Jean Curtiss

ML = Commissioner Michele Landquist

The following Claims Lists were signed during the month of JULY 2009:

Date Signed	Claims List Date	Who signed	Amount
July 1, 2009	July 1, 2009	BCC	\$228,595.13
July 2, 2009	July 2, 2009	BCC	\$3,127.61
			\$8,096.96
			\$1,340.01
July 6, 2009	July 2, 2009	BCC	\$39,709.77
			\$2,475.38
			\$18,257.60
July 6, 2009	July 6, 2009	BCC	\$8,338.74
July 7, 2009	July 6, 2009	BCC	\$9,570.31
			\$254,038.85
			\$16,136.77
			\$25,755.77
July 8, 2009	July 7, 2009	BCC	\$12,260.23
July 8, 2009	July 8, 2009	BCC	\$30,912.58
			\$24,002.89
July 9, 2009	July 8, 2009	BCC	\$53,892.56
July 9, 2009	July 8, 2009	BC, JC	\$13,200.14
July 9, 2009	July 9, 2009	BC, JC	\$29,516.66
			\$167,921.83
July 10, 2009	July 10, 2009	BCC	\$2,209.15
July 13, 2009	July 13, 2009	BCC	\$3,669.73
July 14, 2009	July 13, 2009	BCC	\$54,367.85
			\$157,419.84
July 15, 2009	July 14, 2009	BCC	\$34,559.76
			\$21,755.27
			\$15,762.40
			\$210,526.36
July 15, 2009	July 15, 2009	BCC	\$39,773.34
			\$6,504.28
July 16, 2009	July 15, 2009	BCC	\$90,317.08
			\$47,000.00
July 16, 2009	July 16, 2009	ML, JC	\$13,866.50
			\$68,197.07
			\$6,321.14
July 17, 2009	July 16, 2009	ML, JC	\$19,412.31
			\$10,150.58
			\$32,155.19
July 20, 2009	July 15, 2009	BCC	\$166,174.71
July 21, 2009	July 20, 2009	BCC	\$20,330.07
			\$26,198.50
July 21, 2009	July 21, 2009	BCC	\$23,249.20
			\$56,075.00
			\$2,186.57
			\$47,341.67
			\$43,839.66
July 22, 2009	July 21, 2009	BCC	\$56,964.21
			\$213,675.73
July 23, 2009	July 22, 2009	BCC	\$3,151.09
July 24, 2009	July 23, 2009	BC, ML	\$48,567.85
			\$32,675.53
			\$1,475.23
			\$3,429.52

July 27, 2009	July 24, 2009	BC, ML	\$130,675.00
			\$13,397.59
July 28, 2009	July 28, 2009	BC, ML	\$294,117.37
			\$1,342.68
July 29, 2009	July 28, 2009	BC, ML	\$6,681.86
			\$9,446.59
July 29, 2009	July 29, 2009	BC, ML	\$55,556.56
			\$136,080.38
July 30, 2009	July 29, 2009	BC, ML	\$124,176.88
			\$11,050.04
			\$13,249.13
July 31, 2009	July 30, 2009	BC, ML	\$12,607.80
			\$188,239.56
			\$25,747.94
			\$2,943.44

All Claims Lists were returned to the Accounting Department.

### WEDNESDAY, JULY 1, 2009

BCC met in regular session; all three present.

Monthly Report – BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending June 30, 2009.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Bylaws – BCC reviewed/signed West Valley Community Council Bylaws (based on general guidelines outlined in Resolution No. 2008-155).

Agreements – BCC signed, dated July 1, 2009, two (2) agreements between County and Waldo Williams Development, LLP concerning reimbursement for out-of-pocket expenses for installation of sewer mains associated with Wye Area Sewer project for: 1) construction of portion of Line E (\$7,500); and 2) construction of Line C2 (\$5,000). Originals to Amy Rose/Public Works.

Modification – BC signed. Modification #600199-1 to contract between County and MT Natural Resource Damage Program for Bonner Pedestrian Bridge Project; extends Completion Date to June 30, 2010. Approx. \$70,000 withheld pending completion of re-vegetation.

Letter – BCC signed, dated July 1, 2009. To Gary Decker, Arlee Community Development Corp., Arlee, supporting Jocko Valley Trails Committee development of master plan for trail systems within/adjoining Jocko Valley (assuming CS&K is committed to same).

Resolution No. 2009-085 – BCC signed, dated July 1, 2009. Financial Services Budget Amendment totaling \$2,609.80 from Cash-in-lieu revenue to fund pump for East Missoula Lions Park. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

Additional discussion item(s): Downtown Missoula Business Improvement District.

#### PUBLIC MEETING – JULY 1, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey, and Commissioner Michele Landquist. Absent: None.

Staff Present: Chief Civil Deputy County Attorney Marnie McClain and Auditor Barbara Berens.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

Kim Bagnell  
Discussion

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### a. Weekly Claims List - \$435,742.45

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$435,742.45. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### b. Public Announcements

## 5. BID AWARD

## a. Printing of Legal Advertisements for FY2010

Chair Bill Carey opened the hearing.

Barbara Berens presented the staff report.

Public Comment

Matt Gibson

Jane Leese

Questions from Commission

Staff comment, Barbara Berens and Commissioner Michele Landquist

Discussion

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award a one-year legal printing contract for legal printing to the Missoula Independent as the lowest and most responsive bidder with an option to extend for one additional year as presented in the staff report and that the County continue to place items on the County website and find other ways to ensure that the public is informed. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 6. OTHER BUSINESS

## 7. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:13 p.m.

## THURSDAY, JULY 2, 2009

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Contract – BCC signed. Between County and Rocky Mountain Capitol Consulting (Marnie Russ), extending current contract (dated February 9, 2009) for 30 days to July 31, 2009. Added compensation is \$7,612.50. One original to Marnie Russ.

Contract – BCC signed, dated June 25, 2009. Between County and Jerome's Drilling (low bidder) to drill three wells in Development Park to provide irrigation to area parks. Term: July 6-July 13, 2009. Amount/\$21,000.

Letter – BCC signed, dated July 2, 2009 to Mack Long/Region Two Supervisor, MT FWP, Missoula, supporting FWP's potential acquisition of portion of Marshall Block (part of the Legacy Project).

Agreement – BCC signed, dated July 2, 2009. Between County and Missoula Independent for one year legal printing contract/no rate increase (w/option to extend for one additional year/same rates).

Additional discussion item(s): 1) Timber Topics; 2) Call for Transportation Project for FY 2010; 3) Update on Miller Creek Road Easements.

## FRIDAY, JULY 3, 2009

THE COURTHOUSE WAS CLOSED IN OBSERVANCE OF THE INDEPENDENCE DAY HOLIDAY

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, JULY 6, 2009

BCC met in regular session; all three present.

Monthly Report – Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending June 30, 2009.

Monthly Report – Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending June 30, 2009.

Monthly Report – Acting Chair LA examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending June 30, 2009.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Geraghty Shoreline Permit (action); 3) Lolo Creek Veterinary Hospital Zoning Compliance Permit Discussion (info); and 4) OPG Director's Update.

Shoreline Permit – BC signed. #9-09 for Applicant Mary Geraghty to build ramp/dock at 8745 N. Placid Lake Road (Lot 2/Last Chance Villa Sites, Placid Lake).

County Payroll Transmittal Sheet – BCC signed. Pay Period: 14/CY2009 - Pay Date: July 2, 2009. Total Payroll: \$1,144,673.77. Document to County Auditor.

**TUESDAY, JULY 7, 2009**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Contract – BC signed, dated July 7, 2009. Between County and Sommers Construction for Wye Area Sewer Project Phase 2A [awarded per bid]. Term/220 Calendar days. Five originals to Greg Robertson/ Public Works.

Request – BCC authorized Fair Manager to sign Mountain Line agreement to provide bus service to Fair August 11-15, 2009. Amount/\$8,500 (partially offset by sale of sponsorships). Originals to Scot Meader/ Fair.

Agreement – BC signed. Between County and Missoulia/Missoula Magazine for platinum sponsorship/ new West Lawn Market at Fair on August 11, 2009. Amount/\$7,500. Original to Fair Staff.

Contract – BCC signed, dated July 7, 2009. Between County and Sankey Pro Rodeo Company for Bullorama at Fair on August 11, 2009. Amount/\$13,400.

Service Agreements – BC signed. Between County and following non-profit groups for services during Fair:

- 1) International Choral Festival (\$1,100/back gate guards);
- 2) Five Valley Modelers Club (\$100/judge models exhibits);
- 3) Garden City Rods (\$300/timers for Demolition Derby);
- 4) Missoula Kiwanis (\$4,750/parking concession);
- 5) Missoula Figure Skating (\$900/Fair cleanup);
- 6) Southside Lions (\$2,500/fire & guard duty);
- 7) Florence Boy Scouts (\$1,800/ambassadors);
- 8) Sentinel Kiwanis (\$2,000/gate guards); and
- 9) Missoula Exchange Club (\$1,300/gate guards).

All documents to Fair Staff.

Petition – BC signed, dated July 7, 2009. Petition (for inclusion of County facilities) for Renewal of the Business Improvement District in Downtown Missoula, MT; will provide for assessments/services to County for next BID period. Cost: approx. \$2,500. Original mailed to BID.

Resolution No. 2009-086 – BCC signed, dated July 7, 2009. Recognizing Private Access Easement Across County-Owned Land in Clinton (from prior to County's acquisition of property) on behalf of the Hagen and Drinville families in Clinton. Legal description of property available in Office of County Commissioners.

Additional discussion item(s): Hearing on July 22, 2009 for Fire Review Service Fees.

**WEDNESDAY, JULY 8, 2009**

BCC met in regular session; all three present.

Indemnity Bond – Chair BC signed. State of MT/Property & Supply Bureau, Helena, Principal for Seeley Lake RFD Warrant #79001719, issued April 30, 2009 on County 1400949473; 7225 Fund. Amount/\$141.03 (for two plastic floor mats). Warrant not received.

**ADMINISTRATIVE MEETING**

Resolution No. 2009-087 – BCC signed, dated July 8, 2009. Resolution Fixing Form/Details of Series 2009A Bond Sale (\$2,230,000) for RSID #8489 (Wye Area Sewer Project). Four originals to Dorsey Whitney.

Resolution No. 2009-089 – BCC signed, dated July 8, 2009. Resolution to Expend \$245,000 of 2006 Open Space Bond proceeds for purchase of Conservation Easement for Boyer Open Space Project. Public Hearing held July 8, 2009.

2010 Budget – BCC reviewed/approved several departmental Enhancement Requests, as set forth on matrix submitted. Original to Andrew Czorny/CFO. Document available for review in Office of County Commissioners.

Additional discussion item(s): Space needs planning.



**PUBLIC MEETING – JULY 8, 2009****1. CALL TO ORDER**

Chair Bill Carey called the meeting to order.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, Chief Administrative Officer Dale Bickell (for Target Range hearing), and Special Projects Barbara Martens.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****c. Weekly Claims List - \$627,703.13**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$627,703.13. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**d. Public Announcements****5. BID AWARD (Missoula Development Park)****a. Park Shelter Construction within MDP Parks 3, 4, & 6**

Chair Bill Carey opened the hearing.

Barb Martens presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve award the bid to Patterson Enterprises, Inc. to construct, with alternates, four small park shelters, one picnic shelter, and three freestanding benches for Parks 3, 4, and 6 within the Missoula Development Park in the amount of \$93,970.00 as the lowest and most responsive bidder. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**6. HEARING****a. Forbes (Elgin) Family Transfer**

Chair Bill Carey opened the hearing.

James McCubbin presented the staff report.

James McCubbin questioned the applicant, Elgin Forbes

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Elgin and Virginia Forbes to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**7. HEARING****a. Boyer Open Space Bond Project**

Chair Bill Carey opened the hearing.

Nancy Heil presented the staff report.

Project presentation, Payla Hoyt, Five Valleys Land Trust (PowerPoint)

Public Comment

Heather Wills, County Open Lands Committee

Connie Bauer

Gerhard Knudson, Five Valleys Audubon Society

Executive Session

Commissioner Michele Landquist comments

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the expenditure of \$245,000 in Open Space Bond funds via the attached resolution (Attachment E) for the purchase of a conservation easement for the Boyer project, based on findings that the project qualifies for funding, recommendations of the Open Land Citizen Advisory Committee, public hearing comments, and staff's analysis. Commissioner Jean Curtiss seconded the motion. Chair Bill Carey comments. The motion carried on a vote of 3-0.

**8. HEARING (not on agenda, but announced at June 3, 2009 meeting that would be continued on this date)****a. Denman (George) Family Transfer (continued from June 3, 2009)**

Chair Bill Carey reopened the hearing.

Commissioner Jean Curtiss

James McCubbin reviewed the staff report from June 3, 2009. Concern from last meeting  
 James McCubbin questioned the applicant, George Denman  
 Questions from Commission  
 Public Comment  
 Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by George Denman to create one additional parcel by use of family transfer exemption based on the fact there does not appear to be an attempt to evade subdivision review. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

#### 8. HEARING (continued from June 24, 2009)

##### a. Target Range Sewer & Water District Fee Assessment (June 24, 2009 staff report).

Chair Bill Carey opened the hearing.

Robert Carter

Staff comment, Dale Bickell

Questions from Commission

Public Comment

Fred Stewart

Peggie Morrison

Teresa Thompson

Tracy Watt

Staff comment, Dale Bickell

Commissioner comments

Staff comment, Dale Bickell and Questions from Commission

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the Target Range Sewer and Water District, \$23.90 per dwelling, that staff prepare the resolution for the Commissioners. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

#### 9. OTHER BUSINESS

Commissioner Michele Landquist

Heather Wills

#### 10. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:28 p.m.

### THURSDAY, JULY 9, 2009

BCC met in regular session; quorum present. Morning: ML attended HRC Board meeting/Hamilton. Afternoon: ML participated in Sapphire Ranch Revegetation & Restoration Tour/south of Lolo.

#### ADMINISTRATIVE MEETING

Contract – BCC signed. Between County (Partnership Health Center) and Butte Silver-Bow Health Department for Ryan White Part C Early Intervention Services (per attachment 'A'). Amount/not to exceed \$4,500. Originals to Kim Mansch/PHC.

Contract – BCC signed. Between County (Partnership Health Center) and N. Nellie Cotton, D.O. for physician services at PHC. Term/July 1, 2009-June 30, 2011. Annual salary/\$121,000. Two originals to Kim Mansch/PHC.

Contract – BCC signed. Between County (Partnership Health Center) and Liz Rolle for dental hygienist services at PHC. Term/July 1, 2009-June 30, 2010. Six hours weekly/\$31.10 per hour. Two originals to Kim Mansch/PHC.

Contract – BCC signed. Between County (Partnership Health Center) and Gabriel McCormick, DMD, for dental services at PHC. Term/July 1, 2009-June 30, 2010. Annual salary/\$100,000. Two originals to Kim Mansch/PHC.

Contract – BCC signed. Between County (Partnership Health Center) and Anna Burham for dental hygienist services at PHC. Term/July 1, 2009-June 30, 2010. Eleven hours weekly/\$28.84 per hour. Two originals to Kim Mansch/PHC.

Contract – BCC signed. Between County (Partnership Health Center) and Patricia Lamb, for nurse practitioner services at PHC. Term/July 1, 2009-June 30, 2011. Annual salary/\$70,200. Two originals to Kim Mansch/PHC.

Grant– BC signed DNRC Renewable Resource Grant Agreement (#RRG-10-1389) for Lewis & Clark Water System Project. Amount/\$100,000. Work to be completed by December 1, 2010. Two originals to DNRC for signature/return.

Contract – BCC signed, dated July 9, 2009. Between County and All-Rain Sprinklers for mowing services on County lands on "as needed" basis July 10, 2009-October 31, 2009. Costs/\$22 per hour. Original to Lisa Moisey/Parks.

Satisfaction/State CDBG Sanitary Sewer Grant Program Agreement – BCC signed, dated July 9, 2009. For Charles/Catherine Martin, 409 Montana Avenue, Missoula, declaring fees fully paid/satisfied/discharged for qualifying low/moderate-income residents/property owner of East Missoula County Sewer District.

Grant– BC signed HUD Continuum of Care Grant Agreement between County and YWCA of Missoula for Gateway Assessment Center. Amount/\$61,579. Term/May 1, 2009-April 30, 2010. Three originals to Melissa Gordon/OPG for further signatures/handling.

Revised Agreement – BCC signed. To extend Buy-Back Agreement deadline (from September 28, 2009 to September 28, 2010) for Slade Properties, Inc. for Lot 1A, Block 10, MDP/Phase 2, subject to conditions stated in Agreement.

Change Order #1 – BCC signed, dated July 7, 2009. To contract between County and Buckaroo Construction for main floor restroom remodel at LaLonde Ranch House. Change Order is to: 1) install brace wall in basement to comply w/ADA codes; and 2) cut access port for sewer vent/second floor bedroom. Added costs/\$655.47; total contract cost: \$12,413.47.

Grievance Response – BCC signed, dated July 9, 2009. BCC assigned Steve Johnson, HR Director, to further investigate Employee's Grievance and report w/in 30 days for decision by BCC. Original to S. Johnson/HR.

Letter – BCC signed, dated July 8, 2009 to Kevin Jump, Kalispell, applauding his efforts to work with MT Community Development Corporation to diversify his company by using biomass/wood residues to serve new markets with landscape products.

Additional discussion item(s): 1) BC will attend Russ Forba retirement reception; 2) JC will attend July 15<sup>th</sup> Chamber Ad Hoc Board Meeting; 3) MACo 2009 Annual Conference/Helena.

#### FRIDAY, JULY 10, 2009

BCC met in regular session; all three present early morning. BCC available all day for Appellate Mediation (Richards v. Missoula County, et al)/Clearwater Meadows Ranch Subdivision Proposal.

Indemnity Bond –Chair BC signed. Charles Caplette, Deer Lodge, MT, Principal for County Detention Warrant #60027285, issued April 1, 2009 on County Inmate Commissary Fund. Amount/\$31 (for Inmate pay).

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated July 9, 2009. Amount: \$40,594.51. Document to County Auditor.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

#### MONDAY, JULY 13, 2009

BCC met in regular session; all three present. Evening: BCC attended Public Hearing to put question on upcoming ballot whether or not to form Evaro Community Council, held at Evaro School House.

Planning Status Meeting – BCC/OPG Staff. Agenda (all action items): 1) Public Comment; 2) Windsor Park Subdivision/Phase VI Final Plat Minor Adjustment Request; (minor-minor plat adjustment; RCA initialed/no letter signed); 3) Larivee Addition Subdivision/Condition Amendment Request; 4) Grizzly Dens Subdivision/Covenant Amendment Request; and 5) OPG Director's Update.

Condition of Approval Amendment – BCC signed letter, dated August 5, 2009 to Robert/Justin Johnson, Missoula, approving amendment to COA #11 for Larivee Addition Subdivision. COA relates to installation of pedestrian pathway along Houle Creek Road. BCC also waived \$600 fee for COA amendment request.

Plat Adjustment/Covenant Amendments – BCC signed letter, dated August 14, 2009 to Thomas Alsaker, Missoula, approving plat adjustment and covenant amendment of Grizzly Dens Subdivision (pertaining to basement construction).

Resolution No. 2009-088 – BCC signed, dated July 13, 2009. Setting Assessments for Target Range Sewer & Water District. County Treasurer will levy \$23 per dwelling unit on 2010 property tax bills for each residence in District. Public Hearing held July 8, 2009.

Resolution No. 2009-092 – BCC signed, dated July 13, 2009. Calling an Election on the Question of Establishing a Community Council for Precincts 39, 40, 41, and 42 of Missoula County [Evaro-Finley-O'Keefe area]. Public Hearing held July 13, 2009.

**PUBLIC HEARING – JULY 13, 2009 – 7:00 P.M.  
 EVARO SCHOOL HOUSE – EVARO, MT**

**BOOK 010 PAGE 0008**

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Administrative Aide Addi Jadin and Rural Initiatives Planner Karen Hughes

**HEARING (establishing Community Council for Precincts 39, 40, 41, and 42 of Missoula County)  
 (Notice of Hearing)**

Chair Bill Carey opened the hearing.

Chair Bill Carey explained the purpose of the meeting.

Addi Jadin presented the staff report

Public Comment

Meggan Ryan

Commissioner Jean Curtiss

Ada Mercer-Reep

Sandy Mercer-Lee

Bob Hayes

Commissioner Jean Curtiss

Ada Mercer-Reep

Commissioner Michele Landquist

Allan Higbee

Doug Cunningham

Commissioner Jean Curtiss

Chair Bill Carey, written public comments

Commissioner Michele Landquist

Commissioner Jean Curtiss

Chair Bill Carey

Staff comment, Addi Jadin

Commissioner comments

Allan Higbee

Commissioner Michele Landquist

Sandy Mercer-Lee

Commissioner Jean Curtiss, asked for vote, result was "appointed" 5 and 1 "elected" the first time, and comment

Meggan Ryan

Commissioner Jean Curtiss

Ada Mercer-Reep

Chair Bill Carey and Ada Mercer-Reed

Allan Higbee

Commissioner Jean Curtiss, Karen Hughes, and Allan Higbee

Sandy Mercer-Lee

Meggan Ryan

Commissioner Jean Curtiss made a motion that the Board of County Commissioners place the issue of an Evaro/Finley/O'Keefe Community Council on a mail ballot in November with five members on the council and with the first council being appointed by the County Commissioners. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

The hearing was closed at 7:57 p.m.

**TUESDAY, JULY 14, 2009**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Board Appointment – BCC reappointed Lynda Brown to new three-year term on County Compensation Committee from July 24, 2009-July 24, 2012.

Grant – BC signed Board of Crime Control Western Region Juvenile Detention Grant (#10-L05-90600) for term July 1, 2009-June 30, 2010. Amount/\$263,814 (local match is \$260,296; total \$524,110). Original to Gary Elliott/Sheriff's Dept.

Grant – BC signed Board of Crime Control First STEP Program Grant (#09-WR05-90589) for Recovery Act STOP Violence Against Women Act for term July 1, 2009-June 30, 2011. Amount/\$70,651 (local match is \$157,255; total \$227,906). Original to Shantelle Gaynor/OPG.

Grant – BC signed Board of Crime Control Missoula County Victim/Witness Project (VOCA) Grant (#09-VR01-90512) for term July 1, 2009-June 30, 2010. Amount/\$117,084 (local match is \$27,271; total \$146,355). Original to Shantelle Gaynor/OPG.

Grant – BC signed Board of Crime Control West Central MT Drug Task Force Grant (#09-GR01-90624) for term July 1, 2009-June 30, 2010. Amount/\$178,303 (local match is \$187,271; total \$365,574). Original to Willis Hintz.

Contract – BC signed. Between MT DPHHS & PHC (#10-07-3-31-010-0) for MT Breast and Cervical Health Program. Amount/\$30,700. Term/July 1, 2009-June 30, 2010. Original to Kim Mansch/PHC.

Certificate of Appreciation – BCC signed. To Russ Forba, EPA, to be presented at his July 28<sup>th</sup> retirement potluck at Bonner Park.

Task Order – BC signed. #09-07-4-31-031-0 (covering period July 1, 2005-June 30, 2012) between MT DPHHS and Health Department for Immunization Program to County children. Total grant funds/\$37,435; for term through December 31, 2009. Originals to Julie Mohr/Health Dept.

Agreement – BC signed. Between City-County Health Department and DEQ (#5100006) for FY 2010 state reimbursement/allowed expenses regarding local Air Pollution Program. Amount/\$97,332. Term/July 1, 2009-June 30, 2010. Originals to Julie Mohr/Health Dept.

Agreement – BC signed. Between City-County Health Department and DEQ (#5100007) for FY 2010 state reimbursement/inspections & oversight activities regarding local Air Pollution Program. Amount/\$2,000. Originals to Julie Mohr/Health Dept.

Letter – BCC signed, dated July 14, 2009. To Jon Haufler, Seeley Lake Community Council, regarding needed improvements/Highway 83/Clearwater Junction to Seeley Lake. BCC encouraged him to attend monthly meeting with MT DOT.

Additional discussion item(s): 1) Grant Creek Flood Mitigation Project; 2) Bashor-Reese Letter Regarding Big Flat Road; Greg Robertson editing letter [see July 31<sup>st</sup> journal entry]; and 3)

### WEDNESDAY, JULY 15, 2009

BCC met in regular session; all three present. Afternoon: BCC held Roundtable Discussion re: Fire Review Standards & Inspection Fees.

Plat – BCC signed. Owner-B&E Corporation. Windsor Park, Phase VI, located in NW¼ of Section 6, T 13 N, R 19 W, PMM, Missoula County. Total area/6.45 acres.

CHIEF ADMINISTRATIVE OFFICER MEETING - CANCELED

#### PUBLIC MEETING – JULY 15, 2009

#### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Chief Administrative Officer Dale Bickell, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, and Survey Technician Steve Smith.

#### 2. **PLEDGE OF ALLEGIANCE**

#### 3. **PUBLIC COMMENT**

Ryan Morton

Chris Froines

Chair Bill Carey

RJ Nelsen

Chair Bill Carey

Chris Froines

Commissioner Jean Curtiss and Chris Froines

Ken Rolf

Ben Ehlers

Leo Delaney

Gary Boyd

Josh Herbold

Kim Bagnell

Deb Cole

Greg Robertson, Commissioner Jean Curtiss, and Deb Cole

Commissioner Michele Landquist and Deb Cole

Staff comment, Greg Robertson

Jim Calcaterra

Staff comment, Greg Robertson and Jim Calcaterra

Staff comment, James McCubbin and Jim Calcaterra

Greg Robertson and Jim Calcaterra

Chair Bill Carey

Commissioner Jean Curtiss

Staff comment, James McCubbin, Greg Robertson, Commissioner Jean Curtiss, and Jim Calcaterra

Ken Rolf

Deb Cole

Staff comment, James McCubbin and Deb Cole

Greg Robertson and Commissioner Michele Landquist

## 4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

BOOK 010 PAGE 0010

- e. Weekly Claims List - \$865,994.64  
Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$865,994.64. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.
- f. Public Announcements

## 5. HEARINGS

- a. Petition to Abandon a Portion of Unnamed GLO Roads - Located in the NW¼ of Section 34 and the SW¼ of Section 27, T15N, R21W (North of I-90 in Frenchtown)  
Chair Bill Carey opened the hearing.  
Steve Smith presented the staff report.  
Kim Cox verified the petition  
Public Comment  
Executive Session  
Site Visit Scheduled, hearing recessed to July 22
- b. Petition to Alter a Portion of Roman Creek Road - Located in Section 34, T15N, R21W (North of I-90 in Frenchtown)  
Chair Bill Carey opened the hearing.  
Steve Smith presented the staff report.  
Kim Cox verified the petition  
Public Comment  
Executive Session  
Discussion  
Staff comment, James McCubbin and Steve Smith  
Hearing recessed to July 22  
Commissioner Michele Landquist and Steve Smith

## 6. OTHER BUSINESS

## 7. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:28 p.m.

## THURSDAY, JULY 16, 2009

BCC met in regular session; quorum present. BC on vacation after noon.

Site Visits – Morning: BC accompanied Steve Smith to view: 1) unnamed GLO Roads and 2) portion of Roman Creek Road – north of I-90 in Frenchtown.

ADMINISTRATIVE MEETING

Contract – BCC authorized Fair Manager to sign contract between County Fair and Nicole Shannone Hart (of Chicks N Chaps Rodeo) for rent of track/paddock/covered pari-mutuel area on August 14, 2009. Total amount/\$2,373. Original to Scot Meader/Fair for further handling.

Request – BCC approved \$13,866.50 advance to Seeley Lake Community Council to proceed with Archibald Crossing Trail Project. County to be repaid when grant funds of \$16,000 from FW&P received. Original to Andrew Czorny/CFO.

Municipal Lease Agreement – BCC signed, dated July 16, 2009, between County Extension/Weed District and Redstone Leasing for new copier/color printer. Total amount/\$353.11 per month.


Extension Request – BCC signed letter, dated July 17, 2009 to John Richards, Seeley Lake, approving one-year extension of final plat approval deadline for Clearwater Junction Subdivision. New deadline/July 11, 2010. Request due for compliance with conditions of approval.

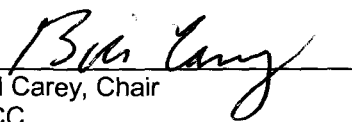
Resolution No. 2009-090 – Acting Chair JC signed, dated July 16, 2009. Modifying Form and Details of July 9, 2009 Bond Resolution 2009-087, relating to Series 2009A Bond Sale (\$2,230,000) for RSID #8489 (Wye Area Sewer Project). Modified so Bank can receive physical copies of bonds; no electronic delivery available. Four originals to Dorsey Whitney.

Additional discussion item(s): None.

## FRIDAY, JULY 17, 2009

BCC did not meet in regular session. JC out of office most of day at Mental Health Board/CDC Meeting in Superior. BC on vacation.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, JULY 20, 2009

BCC met in regular session; all three present. Afternoon: BCC held Roundtable Discussion re: Fire Review Standards & Inspection Fees.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Cory and Daly Shoreline Permits (*action*); 3) Blue Heron Subdivision/Condition Amendment Fee Waiver Request (*action*); 4) Missoula County Fire-related Subdivision Review Standards (*info*); 5) Missoula County Fire Review Service Fee Schedule (*info*); and 6) OPG Director's Update.

Shoreline Permit – BC signed. #9-10 for Applicant William Cory to build ramp/dock and install water pump/hose at 7328 Lindbergh Lake Road (Lot 38/Diamond L Bar Ranch 2<sup>nd</sup> Lake Shore Tracts, Lindbergh Lake).

Shoreline Permit – BC signed. #9-11 for Applicant Bob Daily to install heat pump lines/water line at 873 Perimeter Road (Lot 04 & ½ of Lot 0-5/Hollinger Addition, Big Sky Lake).

Condition Amendment – BCC signed letter, dated August 11, 2009 to Bernie/Gloria Weisgerber, Frenchtown, approving \$600 fee waiver for fire-related condition amendments/Blue Heron Subdivision.

## TUESDAY, JULY 21, 2009

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Special Use Agreement – BCC signed. Between County and Robert Rich/Weedbusters to collect Knapweed Biological Control insects in certain County parks in exchange for release of biological control insects. Originals to Lisa Moisey/Parks.

Agreement – Chair BC signed. Between City-County Health Department and Shodair Children's Hospital for metabolic nutrition management services for period July 1, 2009-December 31, 2009. Amount/\$4,999. Originals to Julie Mohr/Health Dept.

Memorandum of Agreement – BCC signed, dated July 21, 2009. Between County and Missoula Art Museum for CBO FY 2010 funding to meet goals in Museum's strategic plan. Total/ \$195,000. Original to Jean Harte/OPG.

Agreement – Chair BC signed. Between County and Ibey Sprinklers/Landscape for mowing services on County-owned lots within Missoula Development Park. Dates: July 24<sup>th</sup> and by September 18, 2009. Amount/\$5,318.25. Originals to Julie Mohr/Health Dept.

Change Order – BC signed. #1 to contract between County and Gregston Construction for remaining sidewalks/trails within MDP. Order relates to well drilling (\$500) and certain sidewalk repairs (\$59,800; ½ reimbursed by City) for total of \$60,300 (total contract cost/\$227,250). Original to Barb Martens/Projects.

Pipeline Easement Agreements (3) – BCC signed, dated July 21, 2009. Between County and Northwestern Energy for underground gas line system at MDP/Phase 1 for following locations: 1) Block 2, Park #1; 2) Block 3, Lot 1; and 3) Block 3, Park #2. All easements 40 feet wide. Total Cost/\$3.00. Original to Barb Martens/Projects.

Contract – Chair BC signed. Between County and Patterson Engineering to construct (w/alternates), four small park and one picnic shelter, and three benches for Parks 3, 4, & 6 within Missoula Development Park. Amount/\$93,970. [BCC awarded contract July 8, 2009 at Public Meeting]. Originals to Barb Martens/Projects.

Agreement – Chair BC signed. Between City-County Health Department (Nursing Division) and Missoula County Public Schools for nutritionist services for 2009-2010 school year. [Paid from MCCHD budget]. Original to Julie Mohr/Health Dept.

Task Order – BC signed. #10-07-5-01-032-0 (covering period July 1, 2005-June 30, 2012) between MT DPHHS and City-County Health Department for Maternal Child Health Block Grant for period July 1, 2009-June 30, 2010. Total grant funds/\$129,360. Originals to Julie Mohr/Health Dept.

Task Order – BC signed. #09-07-1-11-045-0 (covering period July 1, 2005-June 30, 2012) between MT DPHHS and City-County Health Department for Tuberculosis Program for period January 1, 2009-December 31, 2009. Total grant funds/\$5,000. Originals to Julie Mohr/Health Dept.

Modification – BC signed. #3 to contract (55025) between City-County Health Department and DEQ (#5100006) for FY 2010 state reimbursement/allowed expenses regarding local Air Pollution Program. Modified is: 1) completion date changed from end of FY 2010 to December 31, 2009; and 2) up to a maximum of \$6,000 for SFY 2010. All other terms/conditions remain unchanged. Originals to Julie Mohr/Health Dept.

Additional discussion item(s): None

WEDNESDAY, JULY 22, 2009

BCC met in regular session; all three present.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Amendment – BC signed, dated July 22, 2009. To Agreement (10/7/08) for Professional Engineering Services with HDR for Lewis & Clark Subdivision Water System Replacement Project/RSID 8496. Amendment #3 amends scope of services and cost estimate required for continued water rights mitigation. Added costs/\$14,000; total contract cost: \$201,876.71. Originals to Greg Robertson/Public Works.

Acquisition Agreement & Exhibit – BC signed, dated July 22, 2009. Between County and Wye Area Improvement Group, LLC for certain Wye Area Sanitary Sewer improvements to proceed with final phases of project. Phase 1-A Project Costs: \$616,192.55. BC also signed Exhibit C: Bill of Sale & Assignment. Originals to WGM.

Resolution No. 2009-091 – BCC signed, dated July 22, 2009. Adopting Resolution relating to \$7,904,784 State Revolving Fund and American Recovery/Reinvestment Loans funding portion of RSID #8489 (Wye Area Sewer Project). Four originals to Dorsey Whitney.

Resolution No. 2009-093 – BCC signed, dated July 22, 2009. Resolution to Enact Fire Review Service Fees.

Additional discussion item(s): Evaro Road/address changes. [Letter to homeowners signed in September.]

#### PUBLIC MEETING – JULY 22, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Chief Administrative Officer Dale Bickell (joined meeting at 1:50 p.m.), Office of Planning & Grants Senior Planner Mary McCrea, Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning & Grants Principal Planner Denise Alexander, and Office of Planning & Grants Planner John Newman.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### g. Weekly Claims List - \$672,815.25

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$672,815.25. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

###### h. Public Announcements

##### 5. **BID AWARDS (Public Works)**

###### a. Motor Graders

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners award the bid of two motor graders to Triple W Equipment in the amount of \$417,765.90 as presented in the staff report as the lowest and most responsive bidder. Commissioner Jean Curtiss seconded the motion. Public Comment. The motion carried on a vote of 3-0.

###### b. Backhoe

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the bid of a backhoe to Triple W Equipment in the amount of \$88,801 as presented in the staff report as the lowest and most responsive bidder. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

##### 6. **DECISIONS**

###### a. Petition to Abandon a Portion of Unnamed GLO Roads - Located in the NW¼ of Section 34 and the SW¼ of Section 27, T15N, R21W (North of I-90 in Frenchtown)

Chair Bill Carey opened the hearing.

Greg Robertson presented the viewers' report. (Staff report from July 15, 2009 hearing)

Questions from Commission

Public Comment



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## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the petition to abandon a portion of an unnamed GLO Roads as described in the viewer's report, seeing that there are no need for them in the future. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

- b. Petition to Alter a Portion of Roman Creek Road - Located in Section 34, T15N, R21W (North of I-90 in Frenchtown)

Chair Bill Carey opened the hearing.

Greg Robertson presented the viewers' report. (Staff report from July 15, 2009 hearing)

Public Comment

## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve petition to alter a portion of that certain county road in Roman Creek Road, specifically described in the viewer's report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

7. **CONSIDERATION:** Fire Standards AND 8. **HEARING:** a. Fire Fees (verbatim transcription)

Chair Bill Carey opened the hearing and the consideration.

John Newman presented the staff reports (Fire Standards) (Fire Fees).

Public Comment

Questions from Commission

Public Comment

Ryan Morton

Commissioner Jean Curtiss and Ryan Morton

Deborah Evison

Kim Bennett

Staff comment, John Newman

Ron Ewart

Commissioner Jean Curtiss, John Newman, and James McCubbin

Gary Bakke

Ken Jenkins

Glenn Green

Ron Ewart

Questions from Commission

Commissioner Jean Curtiss

John Bibler

Commissioner Jean Curtiss comments

Curt Belts

Commissioner Michele Landquist comments

Chair Bill Carey comments

Public Comment

Ryan Morton

Ron Ewart

Staff comment, Denise Alexander

Commissioner Jean Curtiss

Public Comment

Deborah Evison

Commissioner Jean Curtiss

Discussion and questions

Public Comment

Gary Bakke

Staff comment, John Newman

Staff comment, Mary McCrea

Commissioner Jean Curtiss

Ken Jenkins

Commissioner Michele Landquist

Curt Belts and Commissioner Michele Landquist

Public Comment

Kim Bennett

Commissioner Jean Curtiss

Deborah Evison

Staff comment, James McCubbin

Staff comment, John Newman

## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the Fire-Related Subdivision Implementation Standards as presented in the document dated July 22, 2009. Commissioner Michele Landquist comment. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-1, with Commissioner Michele Landquist opposing.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the Fire Review Service Fee Schedule dated July 22, 2009. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0, with Commissioner Michele Landquist abstaining.

Commissioner Jean Curtiss

## 9. OTHER BUSINESS

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## 10. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:59 p.m.

## THURSDAY, JULY 23, 2009

BCC met in regular session; all three present. JC out all afternoon.

ADMINISTRATIVE MEETING

County Payroll Transmittal Sheet – BCC signed. Pay Period: 15/CY2009 - Pay Date: July 17, 2009. Total Payroll: \$1,199,592.24. Document to County Auditor.

Grant Contract – BC signed Treasure State Endowment Program Contract (#MT-TSEP-PO-10-577) between County and MT DOC for wastewater system improvements Preliminary Engineering Report for Spring Meadows Subdivision. Amount/not to exceed \$15,000. Work to be completed by December 1, 2010. Original to Nancy Rittel/OPG.

Grant – BC signed Board of Crime Control JUST (Justice System Team Response to Intimate Partner Violence) Grant (#10-M01-90549) for partial funding for existing grants administrator position. Amount/\$8,500 (local match is \$8,500; total \$17,000). Original to Nancy Rittel/OPG.

Amendment – BCC signed, dated July 23, 2009. First Amendment Consent to Sub-Lease and Agreement to Lease in the Event of Default between American Legion Post #27 and Alltel Communications for Ballfield project at Big Sky Park.

Letter – BCC signed, dated July 23, 2009. To MT Tourism Infrastructure Investment Program ("TIIP"), supporting Glacier Ice Rink's request for \$50,000 in MT TIIP funding for expansion projects.

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated July 22, 2009. Amount: \$33,994.03. Document to County Auditor.

Additional discussion item(s): None.

## FRIDAY, JULY 24, 2009

BCC met in regular session; quorum present. JC on vacation through Friday, July 31<sup>st</sup>.

Plat – BCC signed. Owner-Karen M. Stolp. Homestead Estates, four-lot minor subdivision located in E½ of Section 14, T 21 N, R 17 W, PMM, Missoula County. Total area/152.65 acres (gross & net).

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, JULY 27, 2009

BCC met in regular session; quorum present. JC on vacation through Friday, July 31<sup>st</sup>.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) West Pointe Phasing Plan Amendment (*action*); and 3) OPG Director's Update.

Indemnity Bond – Chair BC signed. Matthew Hegstad, Missoula, Principal for Payroll/Finance Warrant #307673, issued July 17, 2009 on County Payroll Fund. Amount/\$746.60 (for Reserve Deputy Security work). Warrant cannot be found.

Extension Request – BCC signed letter, dated July 31, 2009 to Buddy Seale, Circle H Ranch, LLC, Summit, New Jersey, approving extension of final plat submittal date for West Pointe Subdivision, Phase II to September 14, 2009, subject to Condition of Approval #34 AND approval of request to postpone final decision of original phasing plan amendment to September 14, 2009.

## TUESDAY, JULY 28, 2009

BCC met in regular session; quorum present. JC on vacation through Friday, July 31<sup>st</sup>. Early evening: BC attended retirement party for Russ Forba of EPA/Bonner Park.

ADMINISTRATIVE MEETING

Grant – BC signed acceptance of Dept. of Homeland Security Emergency Management Performance Grant for FY2010. Reimburses County approx. one-half of costs associated with DES Coordinator position. Amount/\$62,920. Original to Bob Reid/Emergency Services.

Request – BC signed Application for FFY 2010 Supplemental Funding for DUI Task Force "Cops in Shops Project" offered by MT Traffic Safety Bureau. Amount up to \$15,000 grant funds. Original to Lonie Hutchison/Health Dept.

Contract – BCC signed, dated July 28, 2009. Between County (Crime Victim Advocate Program & OPG) and Sally Mullen to evaluate current workload/projects of CVA, JUST Response, and DV Grant programs to develop strategic plan. Amount/\$3,500 (or less). Term/May 20-December 31, 2009. Originals to Shantelle Gaynor/OPG.

Board Appointments – BCC appointed Bryan Deschamps as “2<sup>nd</sup> Alternate” for term on Weed Board to begin immediately/end December 31, 2011.

Contract – BCC signed, dated July 28, 2009. Between County and Mountain Valley Plant Management for Clearwater River Yellowflag Iris Eradication Project (12.2 miles). Amount/\$15,000. Term/July 10, 2009-August 15, 2009. Originals to Bill Otten/Weed District.

Acquisition Agreement – BC signed, dated July 28, 2009. Between County and Waldo Williams Development, LLP to purchase sewer main improvements associated with Wye Area Sewer Project. Amount/\$80,761 (purchased by RSID). Originals to Amy Rose/Public Works.

Memorandum of Agreement – BC signed. Between City-County Health Dept. and St. Patrick Hospital for \$24,809 funding for personnel expenses/staffing for Coordinated Approach to Child Health Program. Term/July 1, 2009-June 30, 2010. Original to Julie Mohr/Health Dept.

Amendment – BC signed. Amendment #1 to Task Order 09-07-5-21-014-0 between MT DPHHS & City-County Health Dept. for WIC Nutrition Program, adding \$2,500 for \$485,936 total grant funds (to be spent by September 30, 2009). Original to Julie Mohr/Health Dept.

2010 Budget – BCC reviewed/approved several departmental Enhancement Requests, as set forth on matrix submitted. Original to Andrew Czorny/CFO. Document available for review in Office of County Commissioners.

Additional discussion item(s): Application for New/Expanding Industry Classification by Roseburg Forest Products (Ken Farago & project manager in attendance).

### WEDNESDAY, JULY 29, 2009

BCC met in regular session; quorum present. JC on vacation through Friday, July 31<sup>st</sup>. Morning: BC, ML attended meeting at City Council Chambers with Mayor, City Council, et al re: OPG Interlocal.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Grievance Response – BCC signed, dated July 29, 2009. Denied based on Public Works Director's July 9, 2009 response, as well as grievance correspondence after that date. Original to Steve Johnson/HR.

Additional discussion item(s): Lolo Land Use Plan Update.

#### PUBLIC MEETING – JULY 29, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Chair Bill Carey and Commissioner Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Chief Civil Deputy County Attorney Marnie McClain (arrived at 1:35 p.m.), Deputy County Attorney Cathy Sohlberg, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, Chief Financial Officer Andrew Czorny, Survey Technician Steve Smith and Special Projects Barbara Martens.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### i. Weekly Claims List - \$815,600.25

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$815,600.25. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

###### j. Public Announcements

##### 8. **HEARING**

###### a. Petition to Abandon a Portion of a Public Road per Plat Book 1 (located in Section 11, T11N, R20W) - West of Highway 93, near Manor Boulevard in Lolo)

Chair Bill Carey opened the hearing.

Steve Smith presented the staff report.

Kim Cox verified the petition.

Public Comment

Greg Martenson

Executive Session

Site Visit scheduled for July 31, 2009 at 9:00 a.m.

Meeting recessed to August 5, 2009

**5. BID AWARD (Public Works)****a. Radial Stacker**

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners award the purchase of a radial conveyor to Westate Machinery in the amount of \$61,500.00 as the lowest and most responsive bidder. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**6. BID AWARD (Missoula Development Park)****a. Landscape Park Improvements for County Parks 2, 3, 4, and 6**

Chair Bill Carey opened the hearing.

Barbara Martens presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners award the bid to Valley Landscape Inc. for landscape improvements in County Parks 2, 3, 4, and 6, Missoula Development Park in the amount of \$289,220.00 as the lowest and most responsive bidder as presented in the staff report. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**7. HEARINGS (Certificates of Survey)****a. Wilson (Brian) Family Transfer**

Chair Bill Carey opened the hearing.

Chair Bill Carey explained the process.

Cathy Sohlberg presented the staff report. (Original staff report from February 18, 2009)

Cathy Sohlberg questioned the applicant, Brian Wilson

Public Comment

Questions from Commission

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Brian Wilson to create two additional parcels by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**b. Garrard (Robert) Family Transfer**

Chair Bill Carey opened the hearing.

Robert Garrard

Cathy Sohlberg presented the staff report.

Cathy Sohlberg questioned the applicant, Robert Garrard

Questions from Commission

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Robert Garrard to create (staff report is incorrect, should be four parcels) four additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**9. OTHER BUSINESS****10. RECESS**

There being no further business to come before the Board, the meeting was recessed at 1:54 p.m.

**PRELIMINARY BUDGET HEARING**

July 29, 2009 – 2:30 p.m.

Chair Bill Carey opened the hearing.

Commissioners Present: Chair Bill Carey and Commissioner Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Chief Administrative Officer Dale Bickell and Chief Financial Officer Andrew Czorny.

Andrew Czorny presented the staff report. (PowerPoint)

Public Comment

Steve Earle, Special transportation, transportation for people with disabilities and the elderly

Sheila James, Special transportation

Mike Mayer, Special transportation

Heather Stone, Special transportation

Pat Rivera, Special transportation

Gwen Wood, Special transportation

Joshua Kendrick, Opportunity Sunday Service  
 Cindy Schaumberg, Special transportation  
 Layci Nelson, substance abuse prevention programs  
 Skip Rosenthal, prevention programs  
 Peggy Wallace, Respect Club programs  
 Erik Belker, Frenchtown Fitness Center substance abuse grant  
 Lynette Diaz, Court-Appointed Special Advocates (CASA)  
 Lorraine Bond, Big Brothers/Big Sisters prevention funds  
 Steve Lohning, Willard Alternative School  
 Kate Jeremy Ybarra, interim assistance  
 Ilene Sansom, transportation support  
 Nick Roberts, Missoula Food Bank

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Chair Bill Carey recessed the hearing at 3:19 p.m., Final Budget Hearing September 2<sup>nd</sup> with Final Adoption September 9<sup>th</sup>.

**THURSDAY, JULY 30, 2009**

BCC met in regular session; quorum present. JC on vacation through Friday, July 31<sup>st</sup>.

ADMINISTRATIVE MEETING

Contract – BCC signed; dated July 30, 2009. Between County and Pruyn's Veterinary Hospital for services for Animal Control. Amount/term on accounting form.

Report – Chair BC signed 2009 Annual Progress Report for HUD Continuum of Care funding/Salvation Army Gateway Center Project (#MT01B700010). Original to Melissa Gordon/OPG for further handling.

Report – Chair BC signed 2009 Annual Progress Report for HUD Continuum of Care funding/YWCA Ada's Place Transitional Housing Project (#MT01B700004). Original to Melissa Gordon/OPG for further handling.

Change Order – Chair BC signed. #2 to contract between County and Gregston Construction for remaining sidewalks/trails within MDP. Order relates to several changes for total of \$23,057.50 (total contract cost/\$310,612.50). Original to Barb Martens/Projects.

Agreement – BCC signed, dated July 28, 2009 (subject to approval of improvements agreement by County Attorney). Between County and Harbinson Dev. Serv. Ltd., & John Turcasso (owner Lot A, MDP, Phase 3D) to haul/pile excess material and re-grade MDP/Park 8. Owner to pay County \$0.50/cubic yard royalties for fill material. All construction to be completed by November 1, 2009. Originals to Shantelle Gaynor/OPG.

Change Order/Addendum – Chair BC signed Change Order #2/Contract Addendum to contract between County and Buckaroo Construction for main floor restroom remodel at LaLonde Ranch house. Order relates to 1) correct existing plumbing/bring to code; and 2) drop ceiling. Contract amount increased by \$650 (total contract \$13,063.47). BCC signed Addendum, extending contract time by three weeks, to August 18, 2009. Original to Barb Martens/Projects.

Agreement – Chair BC signed Sponsorship Agreement between County and Partners Creative on behalf of MT State Fund ("MSF") for \$10,000 cash sponsorship/advertising during Western MT Fair for MSF arena banner sponsorship during Rodeo, Bullorama and Demolition Derby. Payment due August 1, 2009.

Contract – BCC authorized Scot Meader to sign, dated May 16, 2009. Between County and Rocky Mountain Talent Contract on behalf of Patricia Ryan/ Opening Act for Sawyer Brown at Western MT Fair. Amount/\$2,000.

Service Agreements – BC signed. Between County and following non-profit groups for services during Fair:

- 1) East Missoula Lions Club (\$2,000/ushers for events in grandstands);
- 2) Missoula Aquatic Club (\$1,100/cleanup of back of Beer Garden to Carnival, East Parking and West Lots).

Documents to Fair staff.

Contract – BCC signed, dated July 31, 2009. Between County and Will Rasmussen to serve as Rodeo Announcer at Western MT Fair. Amount/\$3,800. Term/August 11-15, 2009.

Contract – BCC signed, dated July 31, 2009. Between County and Impact Lighting Systems to provide sound/stage at Western MT Fair. Amount/\$16,650. Term/August 12-13, 2009.

Letter – BCC signed, dated July 30, 2009. To MT Tourism Infrastructure Investment Program, urging Travel MT to invest in request for grant for new boiler at Fort Missoula Post Headquarters Building.

Letter – BCC signed, dated July 31, 2009. To Susan Bashor-Reese, replying to her correspondence with Senator Larsen regarding Big Flat Road. The County will continue to monitor the situation. Additional discussion item(s): None.

FRIDAY, JULY 31, 2009
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BCC met in regular session; quorum present in afternoon. JC on vacation through this date.

Site Visit – Morning: ML participated in viewing of portion of a public road per Plat Book 1, west of Highway 93/near Manor Boulevard/Lolo.

Plat – BCC signed. Owners-Robert E. & Justin W. Johnson. Larivee Addition, Phase II, located in portions of SW¼ of Section 29, T 15 N, R 21 W, PMM, Missoula County. Total area/9.37 acres.



Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: AUGUST, 2009

BCC = BOARD OF COUNTY COMMISSIONERS

BC = Commissioner Bill Carey, Chair

JC = Commissioner Jean Curtiss

ML = Commissioner Michele Landquist

The following Claims Lists were signed during the month of AUGUST 2009:

Date Signed	Claims List Date	Who signed	Amount
August 3, 2009	July 31, 2009	BCC	\$5,821.13
			\$10,395.00
August 3, 2009	August 3, 2009	BCC	\$4,387.56
August 4, 2009	August 3, 2009	BCC	\$21,510.95
August 4, 2009	August 4, 2009	BCC	\$36,405.05
			\$5,000.00
			\$36,255.50
August 4, 2009	August 4, 2009	JC, BC	\$80,475.16
August 6, 2009	August 5, 2009	BCC	\$43,859.95
			\$2,829.40
			\$3,969.15
			\$88,862.28
August 6, 2009	August 5, 2009	BC, JC	\$3,000.00
			\$34,599.54
August 7, 2009	August 6, 2009	BC, JC	\$13,800.06
			\$18,150.09
			\$25,984.32
			\$5,047.80
			\$1,355.42
			\$1,620.00
August 7, 2009	August 7, 2009	BC, JC	\$18,310.55
			\$21,025.00
August 10, 2009	August 10, 2009	BC, JC	\$36,073.87
August 10, 2009	August 12, 2009	BCC	\$91,680.35
August 11, 2009	August 12, 2009	BCC	\$123,419.08
			\$13,603.09
August 12, 2009	August 12, 2009	BCC	\$101,714.08
August 13, 2009	August 12, 2009	BCC	\$27,768.53
August 13, 2009	August 12, 2009	JC, ML	\$31,197.14
August 14, 2009	August 13, 2009	JC, ML	\$29,046.66
			\$3,860.00
			\$21,756.74
			\$15,773.59
August 14, 2009	August 14, 2009	JC, ML	\$1,800.00
August 17, 2009	August 14, 2009	JC, ML	\$1,565.00
August 17, 2009	August 17, 1009	JC, ML	\$240,874.70
			\$108,197.11
			\$97,745.37
			\$44,753.41
August 18, 2009	August 18, 2009	JC, ML	\$319.00
			\$22,390.51
			\$2,147.00
August 19, 2009	August 18, 2009	BC, JC, ML	\$27,334.00
August 19, 2009	August 19, 2009	BCC	\$79,679.52
August 20, 2009	August 19, 2009	BCC	\$3,762.10
August 20, 2009	August 20, 2009	BCC	\$34,226.30
			\$1,534.97
August 24, 2009	August 20, 2009	BCC	\$4,182.41
August 20, 2009	August 21, 2009	BCC	\$359.95
			\$2,697.00

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August 24, 2009	August 24, 2009	BCC	\$538,441.84
			\$3,959.24
			\$19,518.98
			\$6,465.00
August 26, 2009	August 25, 2009	BCC	\$24,083.83
			\$42,505.16
			\$24,760.97
			\$6,226.68
August 26, 2009	August 26, 2009	BCC	\$7,311.17
			\$126,354.19
August 27, 2009	August 26, 2009	BC, JC	\$26,107.92
			\$127,847.07
August 27, 2009	August 27, 2009	BC, JC	\$3,278.90
			\$9,782.67
August 27, 2009	August 26, 2009	BC, JC	\$15,484.73
			\$4,019.39

All Claims Lists were returned to the Accounting Department.

#### MONDAY, AUGUST 3, 2009

BCC met in regular session; all three members present.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Blue Heron Phasing Plan/ Condition Amendment (*action*); 3) Wetherell Shoreline Permit (*action*); 4) Canyon Creek Village PUD Zoning Amendment; and 5) OPG Director's Update.

Letter - BCC signed, dated September 11, 2009 to Bernie/Gloria Weisgerber, approving request to phase Blue Heron Subdivision, and consequently amend Conditions of Approval. Final plat submittal deadlines: Phase 1/April 1, 2010; Phase 2/April 1, 2011.

Shoreline Permit - BC signed. #10-01 for Applicant Kevin Wetherell to build new dock at 462 W. Pierce Lake Road (Lot 3/Pierce Lake Tracts).

County Payroll Transmittal Sheet - BCC signed. Pay Period: 16/CY2009 - Pay Date: July 31, 2009. Total Payroll: \$1,242,233.35. Document to County Auditor.

#### TUESDAY, AUGUST 4, 2009

BCC met in regular session; all three members present.

Monthly Report - BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending July 31, 2009.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending July 31, 2009.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending July 31, 2009.

#### ADMINISTRATIVE MEETING

Sub-Award Agreement - BC signed. #GS214 09-W2236 between City-County Health Department and MSU for Regional Nutrition/Physical Activity Project for obesity prevention efforts for Missoula/Ravalli/Mineral Counties). Amount/\$15,000 for period July 1, 2009-June 30, 2010. Originals to Julie Mohr/Health Dept.

Contract - BCC signed, dated August 7, 2009. Between County and Schumann Veterinary Services for spay/neuter program, surgeries, etc. for Animal Control. Term/August 1, 2009-June 30, 2010. Amount/minimum of \$200/day (or as set forth therein). Originals to Julie Mohr/Health Dept.

Contract - BCC signed, dated July 13, 2009. Between County and L.S. Jensen for construction of Roman Creek Road Pathway (CTEP Federal Aid Project #CN6407). Term/90 days from contract commencement date. Bid submitted/\$148,617.00.

Resolution No. 2009-094 - BCC signed, dated August 4, 2009. Budget Amendment for PHC-Contracted Services; totaling \$140,206 adjustments to Account for Grant Revenues/Expenditures/Transfers. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.



Resolution No. 2009-095 – BCC signed, dated August 4, 2009. Budget Amendment for PHC- Emergency Preparedness; \$5,000 in adjustments to Account for Grant Revenues/Expenditures/Transfers. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-096 – BCC signed, dated August 4, 2009. Budget Amendment for PHC-Budgeted Transfers; \$493,000 in adjustments to Account for Grant Revenues/Expenditures/Transfers. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

2010 Budget – BCC approved Enhancement Request authorizing one FTE of Paralegal/County Attorney's Office to support illegal drug prosecutions. MT BOCC grant to provide funding/\$41,480.20 for 2010.

Resolution No. 2009-097 – BCC signed, dated August 4, 2009. Budget amendment for Public Safety. Amount/\$55,827 to record 2008/2009 grant revenue received from HIDTA grant in FY 2009 budget. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-110 – BCC signed, dated August 4, 2009. Budget amendment for Public Safety. Amount/\$30,000 to record grant revenue received for traffic work done in FY 2009. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – Chair BC signed. For disposal of Motor Vehicle Receipts/Voided misc. (7/3/2006 – 7/19/2007). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – Chair BC signed. For disposal of Treasurer Balance Sheets/Month End Reports, etc. (1/1/2001 – 6/29/2007). To M. Porter/Records.

Additional discussion item(s): Miller Creek Road Right-of-Way (w/City Engineer Kevin Slovarp).

### WEDNESDAY, AUGUST 5, 2009

BCC met in regular session; all three members present.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Contract - BCC signed, dated August 5, 2009. Between County and Five Valleys Land Trust to monitor County's conservation easements. Term/August 2009-December 31, 2009. Amount/\$1,600 (\$200 per property).

Conditional Approval Request - Chair BC signed. Required for HOME funds from MT DOC for District XI HRC grant (#M06-SG3001-06) for housing assistance to five homeowners in Native American Lease-Purchase Project. Original to Jean Harte/OPG.

Additional discussion item(s): 1) Request for meeting with Forum Youth Council on 8/19/09; 2) Economic Blueprint; and 3) Arlee Fire District/limiting overlapping jurisdiction liabilities (Public Hearing 8/26/09).

#### PUBLIC MEETING – AUGUST 5, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Tim Worley, and Survey Technician Steve Smith.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

Dave Adkins  
Angela Far  
Kim Bagnell

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### a. Weekly Claims List - \$769,902.08

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$769,902.08. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### b. Public Announcements

##### 5. **DECISION** (from 3/18/09 Hearing; continued from April 29, 2009, continued from May 20, 2009, continued from 6/3/09 where Revised Proposal from City was presented)

###### a. Petition to Abandon a Portion of a Public Highway Easement - Parallel to Miller Creek Road

Chair Bill Carey opened the hearing.

Kevin Slovarp, City Engineer

Questions from Commission

Staff comment, James McCubbin and Commissioner Jean Curtiss

Commissioner Jean Curtiss presented the supplemental viewer's report.

Staff comment, James McCubbin, clarification of viewer's report

Public Comment

Bob Cole

Jeremy Kein, WGM and Bob Cole

Commissioner Jean Curtiss, and Bob Cole

Staff comment, James McCubbin

Dori Belko

Commissioner Jean Curtiss and Dori Belko

Staff comment, James McCubbin

Norm Belko

Deb Cole

Monte Sipe, City Engineering

Jim Calcaterra

Harriett Calcaterra

Commissioner Jean Curtiss

Staff comment, James McCubbin and Commissioner Jean Curtiss

Executive Session

Commissioner Michele Landquist

Commissioner Jean Curtiss and Commissioner Michele Landquist

Staff comment, Steve Smith

Staff comment, James McCubbin

Commissioner Jean Curtiss and Staff comment, Steve Smith

Commissioner Jean Curtiss made a motion that the Board of County Commissioners abandon the certain portions of the 1896 petitioned right-of-way that is outlined in blue on the May 2009 exhibit that will be attached to the resolution, which includes the right-of-way per Book of Deeds 155, Page 60 that was shown as orange on Lower Miller Creek Road on the maps dated November 2008, contingent upon the City of Missoula securing all necessary slope easements. The abandonment becomes effective when slope easements are recorded. Staff comment, James McCubbin, clarification of motion. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

#### 6. DECISION (from 7/29/09 Hearing)

- a. Petition to Abandon a Portion of a Public Road per Plat Book 1 (located in Section 11, T11N, R20W) - West of Highway 93, near Manor Boulevard in Lolo

Chair Bill Carey opened the hearing.

Steve Smith and Commissioner Michele Landquist presented the Viewer's Report. (Staff report from July 29, 2009 meeting)

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners abandon that portion of a certain county road described as a public road per Road Plat Book 1 on the abandonment petition and depicted on the attached exhibit titled Exhibit A, Page Two. Commissioner Jean Curtiss seconded the motion. Public Comment. The motion carried on a vote of 3-0.

#### 7. HEARING

- a. Rezoning for Canyon Creek Village PUD Amendment (verbatim transcription)

Chair Bill Carey opened the hearing.

Tim Worley presented the staff report and Planning Board Recommendations. (PowerPoint)

Public Comment

Perry Ashby, Wesmont

John Yorkin

Deanne Yorkin

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the proposed text amendments to Subdistrict No. 3 of the Canyon Creek Village PUD Zoning standards as shown in Attachment B, to delete the maximum gross density of 25 dwellings per acre and allow 36 units maximum as presented in the staff report. Commissioner Michele Landquist seconded the motion. Staff comment, Tim Worley. Discussion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the proposed text amendments to Subdistrict No. 5 of the Canyon Creek Village PUD Zoning standards, in order to delete churches as a Special Exception and allow them as a Conditional Use as presented in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss and Commissioner Michele Landquist comment

#### 8. OTHER BUSINESS

#### 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:33 p.m.

## THURSDAY, AUGUST 6, 2009

BCC met in regular session; quorum present in morning. ML out of office all day. Afternoon: BC, JC participated in land tour of river sites on the Blackfoot River.

ADMINISTRATIVE MEETING

Memorandum of Agreement - BC signed. Between County (OPG) and Frenchtown Public Schools to implement Substance Abuse Prevention Activities in Frenchtown and Seeley lake for School Year 2009-2010. Total/\$102,749 grant funding. Original to Peggy Seel/OPG.

Contract - BCC signed, dated July 29, 2009. Between County and Adler Architects for cabin stabilization/new stack-rail fence/house upgrades/irrigation upgrade services at Lalonde Ranch. Term/July 29-September 26, 2009. Amount/\$25,430.

Change Order - BC signed. #3 to contract between County and Gregston Construction for remaining sidewalks/trails within MDP. Order relates to misc. items for increase of \$1,177 (total contract cost/\$311,789.50). Original to Barb Martens/Projects.

Request - Initially hesitant, BCC reviewed/approved acceptance of Ranger ATV from US Smokeless Tobacco to County Search & Rescue. Only requirements are event for receipt of vehicle and provision of two USSTC shoulder patches. Original to Chris Froiness/Search & Rescue.

Letter - BCC signed, dated August 6, 2009. To Senator Jon Tester regarding County's substantive space needs planning, and thanking him for help in securing \$400,000 for emergency operations facilities.

Additional discussion item(s): None

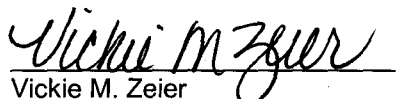
## FRIDAY, AUGUST 7, 2009

BCC met in regular session; quorum present. ML out of office all day.

Replacement Warrant - Chair BC signed. Matthew Keehner, Missoula, Principal for MCPS Warrant #196604, issued July 31, 2009 on County MCPS Payroll Fund. Amount/\$227.73 (for wages). Warrant not received in mail; no bond of indemnity required.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated August 4, 2009. Amount/\$48,334.94. Document to County Auditor.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction - Chair BC signed for disposal of following records: 1) Justice Court 1: Month End Reports & Receipts: 2000-2001; 2) Judge Harkin: Court Notes: 1998-1999; 3) Sheriff: Day Book Sheets: 1998-1999; 4) Employee Benefits: Misc. Claims/Health Ins. Enrollment, etc. 1996-2001; 5) Sheriff: Day Book Sheets/Juvenile DOB: 1978-2001. To M. Porter/ Records.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## SATURDAY, AUGUST 8, 2009

Morning: BC participated with Blackfoot Challenge, wolf specialist, et al in field trip.

## MONDAY, AUGUST 10, 2009

BCC met in regular session; quorum present. ML out of office all day.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Fire Documents discussion; 3) Canyon Creek Village PUD Zoning Amendment; and 4) OPG Director's Update.

## TUESDAY, AUGUST 11, 2009

BCC met in regular session; all three members present. Afternoon: ML participated in *Cast Iron Chef Competition* at Western MT Fair. JC was judge at same event.

ADMINISTRATIVE MEETING

Resolution No. 2009-098 - BCC signed, dated July 31, 2009. Adopting 2009 County Compensation Board's approved plan for elected officials.

Memorandum of Agreement - BCC signed, dated August 11, 2009. Between County and St. Patrick's Hospital Foundation/First Step Program for Recovery Act STOP Violence Against Women Act grant from MBCC. Total/ \$68,641. Term/July 1, 2009-June 30, 2011.

Agreement –BC signed between County (Fair Management) and Midway Dispatch for daily reporting/photographing of Western MT Fair for period August 11-16, 2009. Amount/\$900.

Contract – BC signed, dated July 17, 2009. Between County and Missoula County Tavern Owners Association for Beer Garden concession at Western MT Fair for period August 11-16, 2009. Fair to receive percentage of gross sales.

Request – BC signed, dated August 14, 2009. State InterCap Loan (#2254) disbursement request #3 in amount of \$47,000 to borrow funds for reimbursement of Central Services for purchase of one poll cars/one pool van.

Contract – BCC signed, dated August 6, 2009. Between County and BNBuilders, Inc. for renovation of Creamery Building/Phase 1. Amount/\$488,000.

Request – BC approved selection of Territorial-Landworks, Inc. for engineering/construction oversight services for construction of Mullan Road Bike/Ped Path Project. Public Works Director authorized to negotiate scope of work/cost.

Agreement –BC signed /\$300,000 Grant Agreement (#RIT-10-8695) between County (Rural Initiatives) and MT DNRC for reclamation of Joe Wallit Mine on St. Louis Creek in Ninemile Creek Watershed. Term/Last signing of Agreement-July 31, 2011.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – Chair BC signed. For disposal of Clerk & Recorder Birth/Death Request Letters (1/1/21996 – 12/31/1997). To M. Porter/Records.

Additional discussion item(s): City/County Interlocal Agreement on City Sewers in County Right-of-Way.

<b>WEDNESDAY, AUGUST 12, 2009</b>
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BCC met in regular session; all three members present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Resolution No. 2009-099 - BCC signed, dated August 12, 2009. Creating Buffalo Speedway County Water District for Tracts 16-A, 16-B, & 16-D of COS 2120 and Tracts 15-B1 & 15B-2 of COS 4644 located in E½ of Section 10, T 14 N, R 20 W, PMM, Missoula County. Public Hearing held June 17, 2009.

Resolution No. 2009-100 - BCC signed, dated August 12, 2009. Relating to RSID 8497 declaring intention to create District for Williams Addition Area, connection to Wye Area Sanitary Sewer. Estimated remaining costs/\$117,117.

Resolution No. 2009-104 - BCC signed, dated August 12, 2009. Annexing 3100 Emma Gulch Trail into the Missoula Rural Fire District. Public Hearing held August 12, 2009.

Request – BCC approved/adopted revision to County Personnel Policies, Section 406.00/Family and Medical Leave. FMLA is unpaid leave.

Additional discussion item(s): One-Day-A-Week Campaign.

**PUBLIC MEETING – AUGUST 12, 2009**

**1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox and Chief Deputy Clerk and Recorder Debbe Merseal.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

**c. Weekly Claims List - \$648,904.03**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$648,904.03. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**d. Public Announcements**

**5. HEARING**

- a. Fire District Annexation (3100 Emma Gulch Trail) - Target Range Area

Chair Bill Carey opened the hearing.

Kim Cox verified the petition.

Public Comment

Ryan Huckleby

Commissioner Jean Curtiss (staff report).

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners annex the parcel of land located at 3100 Emma Gulch Trail in Missoula County into the Missoula Rural Fire District as presented in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**6. HEARING**

- a. Seeley Lake Resort Area District

Chair Bill Carey opened the hearing.

Public Comment

Gary Pelletier

Debbe Merseal presented the staff report.

Questions from Commission

Commissioner Jean Curtiss, additional public comment

Staff comment, James McCubbin, need clear map of boundaries

Gary Pelletier

Staff comment, James McCubbin

Discussion, Questions, and Comments

Staff comment, James McCubbin, procedure and Montana Code explanation

Discussion of Code and procedures

[Debbe Merseal handed out resolution for establishment of tax]

Continued discussion

Commissioner Michele Landquist comment

Gary Pelletier

Commissioner Jean Curtiss comment

Gary Pelletier

Commissioner Michele Landquist comment

Public Comment

Meeting paused for staff consultation

Hearing resumed

Chair Bill Carey,

Staff comment, James McCubbin

Commissioner Jean Curtiss

Debbe Merseal and Commissioner Jean Curtiss

Commissioner Michele Landquist and Commissioner Jean Curtiss

Executive Session

Commissioner Jean Curtiss and Staff comment, James McCubbin

Commissioner Jean Curtiss made a motion that the Board of County Commissioners submit this to the electorate as described by mail ballot for the November 2009 election to create the resort area district. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners include in the mail ballot Election, November 2009, the question of establishing a resort area tax for the Seeley Lake Resort Area District for the purpose of determining whether or not a resort area tax should be imposed, a 3% resort tax, effective July 1, 2010 for the purpose of funding community infrastructure improvements in Seeley Lake limited to water and sewer improvements unless changed by an election. The duration is perpetual unless changed by referendum. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**7. OTHER BUSINESS****8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:16 p.m.

**THURSDAY, AUGUST 13, 2009**

BCC met in regular session; quorum present. BC out of office on vacation. Early afternoon: JC participated in *Messy Eater's Contest* at Western MT Fair.

**ADMINISTRATIVE MEETING**

Resolution No. 2009-101 – BCC signed, dated August 13, 2009. Resolution to set a Mail Ballot Election on the question of creating the Seeley Lake Resort Area Tax.

Resolution No. 2009-102 – BCC signed, dated August 13, 2009. Resolution to set a Mail Ballot Election on the question of creating the Seeley Lake Resort Area District.

Contract & Addendum – BCC signed. Between County and Valley Landscape, Inc. for Landscape Park Improvements in Missoula Development Parks 2, 3, 4 & 6. Term/August 1, 2009-June 30, 2010. Amount/\$289,220 (bid awarded July 29, 2009). JC signed Addendum No. 1, dated August 12, 2009, changing fencing from 4-ft high 2-rail fence to 4-ft high 3-rail fence. Increase of \$8,590 (total contract/\$297,810). Three originals to Attorney/three originals to Barb Martens/Projects.

Contract – BCC signed, dated August 13, 2009. Between County/Partnership Health Center and Missoula Food Bank to provide Breast/Cervical Health Program Services. Term/July 1, 2009-June 30, 2010. Amount/per Attachment A.

Contract – BCC signed. Between County (PHC) and Joseph Byington, DMD, for dental care services at PHC. Term/July 1, 2009-June 30, 2011. Annual salary/\$110,000.

Contract – BCC signed. Between County (PHC) and Vicki San Souci for up to .57 FTE dental hygienist services at PHC. Term/July 1, 2009-June 30, 2011. Salary/\$34.24 hourly.

Additional discussion item(s): UofM Internship.

**FRIDAY, AUGUST 14, 2009**

BCC met in regular session; quorum present. BC out of office on vacation. Early morning: JC, ML participated in Early Childhood Business Summit, held at Hilton Inn.

Indemnity Bond - JC signed. Molly Harkin, Missoula, Principal for Public Works (Road) Warrant #30138402, issued July 21, 2009 on County 2110 Fund. Amount/\$60 (for Drive Workshop per diem). Warrant lost.

Resolution No. 2009-103 – BCC signed, dated August 14, 2009. Resolution of Intent to Amend Zoning District Standards for Property Located in Canyon Creek Village, of Canyon Creek Planned Unit Development Zoning District

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction - Chair BC signed for disposal of following records for Judge Henson: Court Notes: 1998-1999. To M. Porter/Records.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, AUGUST 17, 2009**

BCC met in regular session; quorum present. BC out of office on vacation.

Plat – JC, ML signed. Owner-Charter Construction Inc. Art Pine Addition, Block 2, Lot 2, located in NW¼ of Section 24, T 13 N, R 19 W, PMM, Missoula County. Total area/10,044 sq. ft.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Nicholls Shoreline Permit (action); 3) Meadowlark Terrace Subdivision; 4) Rock Creek/Clark Fork ZD#45 Repeal of Zoning District; and 5) OPG Director's Update.

Shoreline Permit - BCC approved permit for Mark Nicholls to replace existing dock with floating dock at Lot 13/Seeley Lake Shoresites (3165 Hwy 83N).

**TUESDAY, AUGUST 18, 2009**

BCC met in regular session; quorum present. BC out of office on vacation.

**ADMINISTRATIVE MEETING**

Public Comment: Fair Preliminary Update.

County Payroll Transmittal Sheet - BCC signed. Pay Period: 17/CY2009 - Pay Date: August 14, 2009. Total Payroll: \$1,142,465.32. Document to County Auditor.

Agreement - JC signed. #DTFH70-09-E-00018 between County and WFLHD (Federal Highway Administration) to provide approx. \$1.18 million funding for Upper Miller Creek Road reconstruction project. Term/December 1, 2010-December 31, 2012. Original to Greg Robertson/Public Works.

Change Order - JC signed. #1 to contract between County and Patterson Enterprises for Park structures within Missoula Development Park. Order relates to misc. shelter items, for total of \$17,429.69 (total contract cost/\$111,399.69). Timeframe to increase four days. Original to Barb Martens/Projects.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated August 18, 2009. Amount/\$46,780.69. Document to County Auditor.

Additional discussion item(s): None

WEDNESDAY, AUGUST 19, 2009

BCC met in regular session; all three present.

Plat - BCC signed Plat for McGuire Lots, located in the NE¼ of Section 24, T 13 N, R 19 W, PMM, Missoula County. Total area: 21,424 sq. ft (0.49 acres) gross & net. Owner of record: Daniel E. McGuire.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Letter - BCC signed, dated August 21, 2009. To Deputy Assistant to Secretary for Transportation Policy, Washington, DC, supporting City of Missoula's US DOT TIGER Grant Application (*Active Missoula*) to construct \$19.6 million worth of trails/on-street bike and pedestrian facilities.

Maintenance Agreement – BCC signed. Between County and J&H, Inc. for new Canon copier for Extension Office/Weed District. Estimate annual cost/\$7,900 yearly.

Board Appointments – BCC reappointed following to County Parks Board: 1) Dan Morgan (1<sup>st</sup> Alternate); 2) Horace Brown; and 3) Anne Rupkalvis. Also appointed: Geoff Sutton/2<sup>nd</sup> Alternate. Alternate terms/one year; regular member terms/three years (retroactive from July 1, 2009). BCC also directed staff to amend bylaws to include term limits (two full three-year terms).

Additional discussion item(s): MACo Conference registration/door prizes.

#### PUBLIC MEETING – AUGUST 19, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Janet Rhoades, Office of Planning & Grants Planner Mitch Doherty, Assistant Public Works Director Tim Elsea, Public Works Transportation Engineer Erik Dickson, Public Works Administrative Aide Amy Rose, and Special Projects Barbara Martens.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

Bob Schweitzer

Peggie Morrison

Margie Heyman

Tom Briggam

Ginny Faye

Tom Dux

Tracy Watt

Willis Curdy

Peggie Morrison

Commissioner Jean Curtiss

Tim Elsea and Commissioner Michele Landquist

Commissioner Jean Curtiss

Erik Dickson and Commissioner Jean Curtiss

Willis Curdy

Chair Bill Carey, Commissioner Jean Curtiss, Commissioner Michele Landquist and Willis Curdy

Ginny Faye

Chair Bill Carey and Tim Elsea

Bob Schweitzer, Commissioner Jean Curtiss, Tim Elsea

Suzanne Schweitzer and Tim Elsea

Commissioner Michele Landquist

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### e. Weekly Claims List - \$756,208.28

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$756,208.28. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

###### f. Public Announcements

##### 5. **BID AWARDS**

###### a. Parking Lot Construction at Missoula Development Park (Mt. Jumbo West Little League Ballfields)

Chair Bill Carey opened the hearing.

Barbara Martens presented the staff report.

Questions from Commission

Public Comment

## Executive Session

Commissioner Jean Curtiss

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the bid to L.S. Jensen in the amount of \$213,113.25 to construct a grass pave parking lot for Mount Jumbo West Little League located at Missoula Development Park, Park 2 as the lowest and most responsive bidder contingent upon approval by the Health Department. In addition, this bid does not include the Additive Alternate #1. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## b. Lewis and Clark Subdivision Water System Replacement

Chair Bill Carey opened the hearing.

Amy Rose presented the staff report.

Public Comment

Questions from Commission

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners award the bid to Western Reclamation, LLC contingent upon SRF concurrence and successful sale of bonds for RSID 8496 Lewis and Clark Water System replacement in the amount of \$309,239.78 as the lowest and most responsive bidder. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## c. New Larchmont Irrigation System

Chair Bill Carey opened the hearing.

Bill Galliher and Darren (?) Smith presented the staff report.

Public Comment

Questions from Commission

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the bid for the Larchmont Golf Course irrigation system to Rexius Forest By-Products in the amount of \$1,325,722 as the lowest and most responsive bidder contingent upon the receipt of the loan. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 6. CONSIDERATIONS

a. Meadowlark Terrace Subdivision (2 lots on 2.36 acres) - South 7th Street West, West of Reserve Street (verbatim transcription)

Chair Bill Carey opened the hearing.

Mitch Doherty presented the staff report. (PowerPoint)

Developer's representative presentation, Ken Jenkins

Questions from Commission

Ken Jenkins

Deb Evison and Ken Jenkins

Commissioner Michele Landquist comment

Staff comment, John Newman

Staff comment, Tim Elsea

Gary Bakke

Ken Jenkins, suggested continuation of hearing

Chair Bill Carey

Commissioner Michele Landquist

Donna Bakke

Commissioner Jean Curtiss

Questions from Commission

Staff comment, Tim Elsea

Executive Session

Staff comment, James McCubbin

Commissioner requests of staff

Staff comment, James McCubbin

Commissioner Jean Curtiss and James McCubbin

Staff comment, John Newman

Deb Evison

Discussion of continued hearing

Ken Jenkins, granted extension for time needed to complete

Discussion

Continued to September 16

Questions from Commission and Comments

Ken Jenkins

Deb Evison

Staff comment, John Newman and Deb Evison

Commissioner Jean Curtiss and James McCubbin

Commissioner Michele Landquist and James McCubbin

## b. Repeal of Rock Creek/Clark Fork Part 1 Zoning District #45 Boundary

Chair Bill Carey opened the hearing.

Recessed hearing

Hearing continued

Janet Rhoades presented the staff report. (PowerPoint)

Questions from Commission

Public Comment



## Executive Session

Staff comment, James McCubbin, motion recommendation

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the resolution to void Zoning District #45, the Rock Creek/Clark Fork Part One Zoning District boundaries due to the lack of the ability of the Planning and Zoning Commission to make and adopt the development pattern for this district standards. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 7. OTHER BUSINESS

## 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:12 p.m.

## THURSDAY, AUGUST 20, 2009

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Lease Agreement- BC signed. Between County and Seeley Lake RFD for lease of portion/former Plum Creek facility for County-area functions (contingent on acceptable financing of facility) for 15-year term. Total/\$16,718 yearly.

Contract – BCC signed, dated August 18, 2009. Between County (Partnership Health Center) and Kevin Chin, DO, for physician clinical services at PHC. Term/October 1, 2009-June 30, 2011. Annual salary/\$120,000.

Additional discussion item(s): Milltown & Development Park Economic Development update.

## FRIDAY, AUGUST 21, 2009

BCC met in regular session; all three present.



Vickie M. Zeier  
Clerk & Recorder



Bill Carey, Chair  
BCC

## MONDAY, AUGUST 24, 2009

BCC did not meet in regular session; BC and JC out of office all day.

## TUESDAY, AUGUST 25, 2009

BCC met in regular session; all three present. Early evening: JC attended City/County Board Recognition Ice Cream Social, held at the Carousel.

ADMINISTRATIVE MEETING

Lease Agreement- BC signed. Between County and new owner Bakke-Kensington Partnership for County Extension/Weed Office space at 2825 Santa Fe Court. Annual lease/\$97,470 for 1<sup>st</sup> 3-year period; lease is for three consecutive 3-year periods. [Note: County Attorney noted need for modifications to Lease; revised lease to be submitted for signatures at later date.]

Request – BCC approved Proposal from Apex Engineering Services, Inc. to review Fort Missoula picnic shelter construction documents provided to County by USFS. County Parks Board suggests use of Blackfoot River logs purchase from DNRC. Fiscal impact/\$650 from Parks' budget. Original to Lisa Moisey.

Contract – BCC signed. Between County and Stone Craftsmanship to pressure wash/provide systematic catalog of needed repairs at LaLonde Ranch House. Term/August 28-September 3, 2009. Amount/\$1,300. Original to Barb Martens/Projects.

Additional discussion item(s): United Way of Missoula County Campaign Kickoff Luncheon, September 1<sup>st</sup>; BC & JC will attend.

## WEDNESDAY, AUGUST 26, 2009

BCC met in regular session; all three present.

CHIEF ADMINISTRATIVE OFFICER MEETING

No Agenda Items

Additional discussion item(s): Consider extending Rocky Mountain Capitol Consulting Contract through 6/30/10 [postponed until 8/27/09].

**PUBLIC MEETING – AUGUST 26, 2009****1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Chief Administrative Officer Dale Bickell and Deputy County Attorney James McCubbin.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****g. Weekly Claims List - \$846,389.79**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$846,389.79. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**h. Public Announcements****5. HEARINGS (Certificates of Survey)****a. Hollensteiner (Donna) Family Transfer**

Chair Bill Carey opened the hearing.

James McCubbin presented the staff report.

James McCubbin questioned the applicant, Donna Hollensteiner

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Donna J. Hollensteiner to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**b. Pitman (Kenneth) Family Transfer**

Chair Bill Carey opened the hearing.

James McCubbin presented the staff report.

James McCubbin questioned the applicant, Pamela Pitman

Questions from Commission

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Kenneth Pitman to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**6. HEARINGS****a. New or Expanding Business Tax Credit**

Chair Bill Carey opened the hearing.

Dale Bickell presented the staff report.

Applicant's presentation, Ken Fargo and Dan Haley, Roseburg Forest Products

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the two applications from Roseburg Forest Products for tax benefits for new or expanding industry based on the materials presented that they qualify for the tax credit, that no negative comment was received from affected taxing jurisdictions, and that Roseburg Forest Products processes will result in cleaner air. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**b. Arlee Fire District Division**

Chair Bill Carey opened the hearing. (staff report)

Fire District presentation, Jim Steele, Arlee Fire District

Questions from Commission

Staff comment, James McCubbin

Public Comment

## Executive Session

Dale Bickell, suggested motion

Commissioner Jean Curtiss, Dale Bickell, and James McCubbin

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request to redistrict boundaries for Arlee Fire District to remove the tribal forest lands as requested based on hearing today and the fact that Federated Salish and Kootenai Tribe of the Flathead Reservation agree with the district division. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 7. PRESENTATION

- a. Marijuana Initiative Citizen Advisory Committee Report #3

Chair Bill Carey introduced the presentation.

Donna Hamilton, Volunteer from the Marijuana Initiative Citizen Advisory Committee presented the report.

Discussion

## 8. OTHER BUSINESS

## 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:26 p.m.

## THURSDAY, AUGUST 27, 2009

BCC met in regular session; all three present.

## ADMINISTRATIVE MEETING

Memorandum of Agreement- BCC signed, dated August 31, 2009. Between County and YWCA for Gateway Center Continuum of Care grant for May 1, 2009-April 30, 2010. Total/\$61,579. Original to Melissa Gordon/OPG.

Contract Extension - BCC signed, dated August 26, 2009. Between County and Rocky Mountain Capitol Consulting (Marnie Russ); extended eleven months to June 30, 2010. Amount/\$88,000. One original to Marnie Russ.

Change Order - BC signed. #1 to contract between County and Valley Landscape, Inc. for improvements in Missoula Development Parks 2, 3, 4 & 6. Order relates to well drilling/pumps/backflow assembly for increase of \$29,780 (total contract cost/\$327,590). Original to Barb Martens/Projects.

Resolution No. 2009-109 - BC adopted Bond Reimbursement Resolution relating to \$1,695,722 of anticipated Larchmont Golf Course Irrigation System replacement costs. [Entered into Minutes 9/3/09]

Request - BCC reviewed/approved Memorandum of Agreement to loan Seeley RFD \$100,000 for acquisition of former Plum Creek facility north of Seeley Lake (contingent on legal review and trust document from fire district).

Additional discussion item(s): None.

## FRIDAY, AUGUST 28, 2009

BCC met in regular session; all three present.



Vickie M. Zeier  
Clerk & Recorder



Bill Carey, Chair  
BCC

## MONDAY, AUGUST 31, 2009

BCC met in regular session; all three present.

Indemnity Bond - BC signed. Andrea Johnson, Missoula, Principal for Health Warrant #30137537, issued July 7, 2009 on County 2270 Fund. Amount/\$308 (mileage reimbursement). Warrant lost.

County Payroll Transmittal Sheet - BCC signed. Pay Period: 18/CY2009 - Pay Date: August 28, 2009. Total Payroll: \$1,189,237.39. Document to County Auditor.

Resolution No. 2009-105 - BCC signed, dated August 31, 2009. Approving Application of Roseburg Forest Products for Tax Incentives under Resolution #91-101 for Improvements in Excess of \$2,300 Installed during 2008. Public Hearing held August 26, 2009.

Resolution No. 2009-106 - BCC signed, dated August 31, 2009. Approving Application of Roseburg Forest Products for Tax Incentives under Resolution #91-101 for Improvements in Excess of \$4,293,000 Installed during 2008. Public Hearing held August 26, 2009.

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: SEPTEMBER, 2009

BCC = BOARD OF COUNTY COMMISSIONERS

BC = Commissioner Bill Carey, Chair

JC = Commissioner Jean Curtiss

ML = Commissioner Michele Landquist

The following Claims Lists were signed during the month of SEPTEMBER 2009:

Date Signed	Claims List Date	Who signed	Amount
September 1, 2009	August 31, 2009	BCC	\$19,144.01
			\$37,683.36
			\$95,908.31
			\$2,056.40
September 1, 2009	September 1, 2009	BC, ML	\$824.81
September 1, 2009	September 1, 2009	BCC	\$21,471.37
			\$39,523.41
			\$36,658.45
September 3, 2009	September 2, 2009	BCC	\$10,498.12
September 3, 2009	September 3, 2009	BCC	\$42,627.75
			\$3,807.33
			\$50.00
September 4, 2009	September 3, 2009	BCC	\$4,280.35
September 8, 2009	September 8, 2009	BCC	\$13,945.22
			\$19,467.40
September 9, 2009	September 9, 2009	BCC	\$238,069.95
			\$61,224.46
			\$11,038.99
			\$71,502.55
September 10, 2009	September 9, 2009	BCC	\$1,818.21
September 10, 2009	September 10, 2009	BCC	\$24,841.63
September 11, 2009	September 10, 2009	BCC	\$13,286.04
			\$37,976.48
			\$10,917.01
September 11, 2009	September 10, 2009	BC, JC	\$53,131.64
September 14, 2009	September 11, 2009	BCC	\$29,002.82
			\$25,136.41
			\$1,508.28
			\$4,573.61
September 15, 2009	September 11, 2009	BCC	\$2,615.57
			\$40,975.07
September 15, 2009	September 14, 2009	BCC	\$15,257.08
			\$2,620,081.52
September 16, 2009	September 15, 2009	BCC	\$206,112.45
			\$366,765.70
			\$863,722.05
			\$16,170.61
September 17, 2009	September 16, 2009	BCC	\$16,893.31
			\$19,894.95
September 17, 2009	September 16, 2009	BC, JC	\$1,161,160.82
September 18, 2009	September 17, 2009	BC, JC	\$1,007.29
			\$10,114.95
			\$65,000.91
September 23, 2009	September 18, 2009	BC, ML	\$202,008.63
			\$22,217.87
September 23, 2009	September 21, 2009	BC, ML	\$3,155.77
			\$17,368.75
			\$1,527.74
			\$7,140.28
			\$20.00
			\$15,628.49
September 24, 2009	September 24, 2009	BCC	\$187,274.69
			\$67,482.61

September 24, 2009	September 24, 2009	BC, ML	\$114,016.21
			\$10,527.81
			\$11,635.57
September 25, 2009	September 24, 2009	BC, ML	\$40,953.09
			\$6,079.02
September 28, 2009	September 25, 2009	BCC	\$99,987.41
			\$3,033.89
			\$37,541.70
			\$212,566.74
			\$2,049.70
September 28, 2009	September 28, 2009	BCC	\$9,686.79
			\$392.52
			\$21,641.34
			\$71,220.61
			\$65,366.85
September 29, 2009	September 28, 2009	BCC	\$12,639.85
			\$5,632.72
September 30, 2009	September 28, 2009	BCC	\$25,812.46
			\$35,316.75

All Claims Lists were returned to the Accounting Department.

#### TUESDAY, SEPTEMBER 1, 2009

BCC met in regular session; all three members present.

Indemnity Bond – BC signed. James Fahlgren, Missoula, Principal for Western MT Fair Warrant #30138842, issued August 4, 2009 on County 2160 Fund. Amount/\$200 (for photography). Warrant lost.

#### ADMINISTRATIVE MEETING

Contract – BCC signed Board of Crime Control FY 2010 VOCA grant match provided by City Attorney's Office for operations support for Crime Victim Advocate Program. Amount/\$117,084. Original to Shantelle Gaynor/OPG.

Agreement – BC signed. CTEP/MDT #ARRA 8123(1) between County and Territorial-Landworks, Inc. for engineering design/construction oversight services for Mullan Road Trail Project. July 10, 2009-October 31, 2009. Amount/\$114,515.66. Original to Greg Robertson/Public Works.

Lease Agreement – BCC reviewed renewal lease agreement between County and Chris & Marie-Ange Buzan for offices of Missoula in Motion/OPG Transportation at 127 West Spruce Street. [Note: Lease signed October 5, 2009].

Additional discussion item(s): Taxable Values.

#### WEDNESDAY, SEPTEMBER 2, 2009

BCC met in regular session; all three members present.

Monthly Report - BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending August 31, 2009.

Indemnity Bond - BC signed. Eric Aune, Missoula, Principal for A/P –Claims Warrant #27-201345, issued June 17, 2009 on County General Fund. Amount/\$284.75 (for District Travel). Warrant lost.

Indemnity Bond - BC signed. Debi Turner, Missoula, Principal for Hellgate Elementary Warrant #30670, issued June 19, 2009 on County General Fund. Amount/\$554.10 (for Wages). Warrant lost.

Replacement Warrant - BC signed. Clinton School District, Clinton, Principal for Clinton School District Warrant #20018742 (payable to Missoula Federal Credit Union), issued August 27, 2009 on County Payroll Fund. Amount/\$650 (for wages). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - BC signed. Courtland A. Perry, Clinton, Principal for Clinton School District 32 Warrant #20018733 (payable to Courtland Perry), issued August 27, 2009 on County Payroll Fund. Amount/\$2,107.11 (for wages). Warrant not received in mail; no bond of indemnity required.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed. Between County and Chem-Safe for annual Household Hazardous Waste Collection. Term/September 10-25, 2009. Amount/\$30,000 to \$36,000 (from Water Quality District). Original to Julie Mohr/Health Dept.

DPHHS Task Order – BC signed. #10-07-5-31-021-0 (Intensive Case Management) between MT DPHHS and Missoula City-County Health Department to provide salary for .8 FTE support specialist/social worker for one year. Amount/\$29,500. [Program previously funded as Fetal Alcohol Spectrum Disorder Prevention]. Originals to Julie Mohr/Health Dept.

DPHHS Task Order – BC signed. #10-07-5-31-012-0 (Public Health Home Visiting) between MT DPHHS and Missoula City-County Health Department for visits to target population defined as high-risk. Amount/\$66,465 (\$6,526 to CHC Software, Inc. for electronic data reporting). Originals to Julie Mohr/Health Dept.

STEP Contract – BC signed. Between County and MT DOT for \$22,000 funding for overtime traffic patrols to enforce DUI/impaired driving/safety belt laws. Originals to Mike McMeekin/Sheriff.

Memorandum of Agreement – BCC signed. Between County and WORD to cover WORD's participation in Rural Domestic Violence grant for FY 2009-2010. Term/September 1, 2009-August 31, 2010. Total grant/\$364,732 for two years; \$3,200 for Word. One original to Shantelle Gaynor/OPG.

Resolution No. 2009-107 – BCC signed, dated September 3, 2009. Resolution to DENY petition to abandon Marigold Drive from the intersection of Snapdragon Drive to the intersection of Honeysuckle Lane and Marigold Court.

Resolution No. 2009-108 – BCC signed, dated September 2, 2009. Bond Resolution for RSID 8496/Lewis & Clark Water System Rehabilitation Project. Total taxable amount/\$572,400; total includes forgiven ARRA funds in amount of \$317,700. Originals to Amy Rose/Public Works.

Resolution No. 2009-109 – BCC signed, dated September 3, 2009. Resolution for Bond Reimbursement for the \$1,695,722 Larchmont Golf Course irrigation system replacement costs.

Agreement – BCC signed; dated August 26, 2009. Between County and Northwestern Energy to install underground distribution facilities to serve Park 6/Missoula Development Park. Term/September 1, 2009-August 31, 2010.

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated September 1, 2009. Amount: \$38,733.97. Document to County Auditor.

Additional discussion item(s): None

#### **PUBLIC MEETING – SEPTEMBER 2, 2009**

##### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Public Works Director Greg Robertson, Office of Planning & Grants Planner Tim Worley, and Assistant Chief Deputy Clerk & Recorder Kim Cox.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **a. Weekly Claims List - \$439,790.80**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$439,790.80. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### **b. Public Announcements**

##### **5. HEARING**

###### **a. Fire District Annexation - 1221 Rankin Road**

Chair Bill Carey opened the hearing. (staff report)

Kim Cox verified the petition.

Public Comment

Commissioner Jean Curtiss, Missoula Rural Fire District approved this annexation

Greg Robertson

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the annexation into Missoula Rural Fire District of the property at 1221 Rankin Road as requested. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 6. EXCAVATION PERMITS

## a. Sewer Main Extension Request for Gleneagle Subdivision

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Ryan Phelan

Commissioner Michele Landquist and Ryan Phelan

Staff comment, James McCubbin and Ryan Phelan

Commissioner Jean Curtiss and Ryan Phelan

Staff comment, James McCubbin and Ryan Phelan

Commissioner Jean Curtiss, Greg Robertson, and James McCubbin (recommended condition)

Ken Knie

Chair Bill Carey and Ken Knie

Staff comment, Greg Robertson

Staff comment, James McCubbin

Commissioner Jean Curtiss and James McCubbin

Ryan Phelan and Commissioner Jean Curtiss

Commissioner Michele Landquist, Greg Robertson, and James McCubbin (recommendation)

Staff comment, Greg Robertson

Staff comment, James McCubbin and Commissioner Michele Landquist

Discussion

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners grant the request for excavation with the condition that a public road and utility easement be placed across the common area that was described today to connect the lower portion of Gleneagle Road to the subdivision. James McCubbin, clarification. Greg Robertson, recommendation. Commissioner Jean Curtiss revised the motion to add that the location of the configuration be acceptable with Missoula County Public Works. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## b. Water Main Extension for Mountain Water on Miller Creek Road

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Public Comment

Questions from Commission

Executive Session

Commissioner Michele Landquist

Commissioner Michele Landquist made a motion that the Board of County Commissioners grant permission to Mountain Water Company to occupy the Miller Creek Road Right-of-Way as requested. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## 7. CONSIDERATION

## a. Mt. Henry Estates (3 lots on 15 acres - North of Seeley Lake on Boy Scout Road) (verbatim transcription not complete)

Chair Bill Carey opened the hearing.

Tim Worley presented the staff report. (PowerPoint, additional information)

**AUDIO MALFUNCTIONED FROM 2:32:00 TO 2:36:51--SEE VERBATIM TRANSCRIPTION ABOVE. IF NOT COMPLETE, CONTACT THE COMMISSIONERS' OFFICE FOR INFORMATION (406-258-4877)**

Developer's representative presentation, Larry Popp (handout)

Staff comment, James McCubbin

Greg Robertson, Larry Popp, and James McCubbin

Questions from Commission

Comments from Commission

Larry Popp

Staff comment, Tim Worley

Chair Bill Carey and Greg Robertson

Discussion

Commissioner Jean Curtiss and Larry Popp

Greg Robertson, recommendation to continue hearing next week

James McCubbin

Discussion

Staff comment, Greg Robertson and Larry Popp

Commissioner Jean Curtiss and James McCubbin

Discussion and comments

Commissioner Michele Landquist and Larry Popp

Commissioner Jean Curtiss, James McCubbin, and Greg Robertson

Discussion on continuance

Continued to September 16

## 8. OTHER BUSINESS

BOOK 010 PAGE 0036

## 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:42 p.m.

**THURSDAY, SEPTEMBER 3, 2009**

BCC met in regular session; all three members present.

Monthly Report - BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending July 31, 2009.

Monthly Report - BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending July 31, 2009.

ADMINISTRATIVE MEETING

Contract - BCC signed, dated September 3, 2009. Between County and Peak Restoration LLC to treat leafy spurge on Blackfoot River from Johnsrud to Angevine Fishing Accesses. Contract begins August 3, 2009. Amount/\$2,500 (grant from MT Nature Conservancy). Original to Lindsey Bona/Weed District.

Contract - BCC signed, dated September 3, 2009. Between County and Mountain Valley Plant Management LLC to treat approx. 40 acres of yellowflag iris adjacent to/in Pattee Creek and along multiple irrigation ditches in Missoula Valley. Cost to Weed District/\$2,000 (other costs paid by MT Noxious Weed Trust Fund and Missoula City Parks). Original to Lindsey Bona/Weed District.

Contract - BCC signed, dated September 3, 2009. Between City-County Health Department and Kellenberg Consulting, LLC to develop an orientation module for local public health practitioners. Term/ August 1, 2009-August 30, 2010. Amount/\$9,800. Original to Julie Mohr/Health Dept.

Request - BCC authorized payment to MRL of \$72,160.07 for damages to railroad signal hut hit by drunk driver. MT contract requires County to pay damages. Original to Hal Luttschwager/Risk & Benefits.

Request - BCC considered/approved enhancement request from DB and ML to create a Courthouse Courtyard. Costs/\$66,028-\$96,028, based on A&E Architects estimates (funding through CIP program). Original to Andrew Czorny/CFO.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated September 2, 2009. Amount: \$14,308.40. Document to County Auditor.

Letter - BCC signed, dated September 3, 2009. To Ellie Hill, Poverello Center, Inc., stating County is unable to provide additional resources at this time; Citizens Review Committee makes funding recommendations.

Additional discussion item(s): 1) EECBG Update w/Chase Jones: "Go For It!" 2) Lolo Planning Project meeting, September 8<sup>th</sup> - and Minutes.

Contract - BCC signed, dated September 3, 2009. Between County and Rexius Forest By-Products, Inc. for new Larchmont Golf Course irrigation system. Term/completed within 108 days commencing October 1, 2009. Amount/\$1,325,722. Two originals to Bill Galiher/Larchmont for additional signatures/handling. [Final signed original returned to BCC Office November 10, 2009].

**FRIDAY, SEPTEMBER 4, 2009**

BCC met in regular session; all three members present.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated September 4, 2009. Amount: \$7,405.54. Document to County Auditor.



Vickie M. Zeier  
Clerk & Recorder



Bill Carey, Chair  
BCC

**MONDAY, SEPTEMBER 7, 2009**

**THE COURTHOUSE WAS CLOSED FOR THE LABOR DAY HOLIDAY**



**TUESDAY, SEPTEMBER 8, 2009**

BCC met in regular session; all three members present. Noon: BC attended Natural History Museum Kickoff. Afternoon: BCC held meeting to hear update on Target Range Area Plan. Evening: BCC held meeting in Lolo re: Lolo Planning Project.

**ADMINISTRATIVE MEETING**

Letter – BCC signed letter, dated September 8, 2009 to Lynn Ducharme, Confederated Salish & Kootenai Tribes, supporting the East Fork Finley Creek land acquisition/conservation easement, proposed by CS&KT. Original to Carly Walker/Rural Initiatives.

Agreement – BC signed. Between County and Missoula Urban Transportation District for renewal of County Employee "EZ Pass" Program for term July 1 2009-June 30, 2010. Total/\$7,790.

Contract – BC signed; dated August 27, 2009. Between County and L.S. Jensen to construct grass pave parking lot for Mount Jumbo West Little League ballfields/MDP-Park 2 (subject to final approval of insurance documents by County Risk Manager). Base bid amount/\$213,113.25. Four originals to Barb Martens/Projects.

Modification to Agreement – BCC signed. #1 to Cooperative Road Project Agreement #09-RO-11011000-006 between County and USFS to add segment of Holland Lake Road to dust abatement program. Modification renews agreement/provides \$7,500; and Exhibit A is deleted/ replaced with modified Operating Plan. Original to FS.

Resolution No. 2009-111 – BCC signed; dated September 8, 2009. Granting MT DOT petition for a strip of landscaped area south of Highway 12 along US 93 for inclusion into RSID 901.

Contract Ratified – Signed September 3, 2009. Between County and Rexius Forest By-Products, Inc. for new Larchmont Golf Course irrigation system.

Additional discussion item(s): 1) Grievances (postponed to 9/9/09); 2) Veterans Day Ceremony on Courthouse Lawn; JC will attend.

**WEDNESDAY, SEPTEMBER 9, 2009**

BCC met in regular session; all three members present.

Replacement Warrant - BC signed. Johnson Controls, Inc., Milwaukee, WI, Principal for Bonner School District #14 Warrant #13237, issued July 13, 2009 on County Claims Fund. Amount/\$863.80 (for heating/cooling repairs). Warrant not received in mail; no bond of indemnity required.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

County Payroll Transmittal Sheet – BCC signed. Pay Period: 19/CY2009 - Pay Date: September 11, 2009. Total Payroll: \$1,171,840.50. Document to County Auditor.

Contract – BCC signed. Between County and Missoula Indian Center to provide Breast/Cervical Health Program Services. Term/July 1, 2009-June 30, 2010. Amount/per appropriate written request; not to exceed \$40 per screening. Original to Kim Mansch/PHC.

Agreement – BC signed. Between County and Western Reclamation, LLC for RSID 8496/Lewis & Clark Water System Replacement (contract awarded 8/19/2009). Amount/ \$309,239.78. Original to Greg Robertson/Public Works.

Request – BC signed. Designation of Tim Elsea as certifying officer for Mullan Road Trail CTEP project (required by DOT). Original to Greg Robertson/Public Works. [Note: BC re-signed 10/13/09; CTEP office wanted on BCC letterhead].

Amendment – BC signed. #1 to MOA #09-07-5-21-085-0 between City-County Health Dept. and MT DPHHS. Additional funding provided (\$6,900) to administer WIC Farmer's Market Nutrition Program. Term extended from October 31, 2009 to June 30, 2010. Originals to Mary Pittaway/Health Dept.

Agreement – BC signed. Ongoing contract between Mineral/Missoula Counties for certain services provided by Missoula County Superintendent of Schools. Amount/\$3,300 from Mineral County. Original to Rachel Vielleux/Schools.

Resolution No. 2009-112 – BCC signed, dated September 9, 2009. Annexing to Missoula RFD County land: SUID 6003379; 1221 Rankin Road, Missoula. Public Hearing held September 2, 2009.

Additional discussion item(s): None.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated September 9, 2009:

- 1) Approved request from Robert S. Fitzgerald, Helena, to waive penalty/interest paid for Taxpayer ID #1091107.
- 2) Approving request from Taman Lemeza, Missoula, to a refund for Title #G407236.
- 3) Approving request from Peggy Crawford, Missoula, to a refund for Taxpayer ID #363105.
- 4) Approving request from Lois J. Thompson, to a refund for Taxpayer ID #2251401.
- 5) Denying request from Gary F. Walter, Missoula, for refund of motor vehicle taxes paid for Vin #1G2NE12E2XM 890756. BCC has no discretion in this area.
- 6) Asking for more info from Anna Armstrong, Missoula, re: refund of motor vehicle taxes/fees paid for Vin #1FMDU34X4TUC58870.
- 7) Advising R.W. Easterbrooks, Missoula, refund of motor vehicle taxes paid for Vin #1GTCS14B2C2508598 will take several weeks; State of MT must approve the void.
- 8) Approving request from Marion Pedersen, Missoula, to a refund for mobile home taxes paid for Taxpayer ID #90423140; DOR must prepare abatement documentation for correct adjustment.
- 9) Approving request Thomas Breeza, Missoula, to a refund for Taxpayer ID #1647302 (years 2004 through 2007).

#### **PUBLIC MEETING – SEPTEMBER 9, 2009**

##### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Chief Civil Deputy County Attorney Marnie McClain, Public Works Director Greg Robertson, and Office of Planning and Grants Planner John Newman.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **c. Weekly Claims List - \$94,676.17**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$94,676.17. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

###### **d. Public Announcements**

##### **5. HEARING (Certificate of Survey)**

###### **a. Ployhar Family Transfer**

Chair Bill Carey opened the hearing.

Marnie McClain presented the staff report.

Marnie McClain questioned the applicant, Janette Ployhar

Questions from Commission

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Janette Ployhar to create an additional three parcels by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

##### **6. CONSIDERATION**

###### **a. Big Buck Subdivision (3 lots on 5.09 acres) - Southside of Lamar Trail, West of Hwy 93**

Chair Bill Carey opened the hearing.

John Newman presented the staff report.

Questions from Commission

Developer's representative presentation, Ken Jenkins

Questions from Commission

## Public Comment

John Harris

Tom McClay

Kelly Harris

John Newman and Commissioner Michele Landquist

Commissioner Jean Curtiss and John Newman

Staff comment, Marnie McClain

John Newman and Marnie McClain

Ken Jenkins

Marnie McClain

Commissioner Jean Curtiss and Commissioner Michele Landquist

Deborah Evison

Discussion

John Newman

John Harris

## Commissioner Jean Curtiss

John Newman and Commissioner Jean Curtiss

Commissioner Michele Landquist and Commissioner Jean Curtiss

Ken Jenkins, condition suggestion

Commissioner Jean Curtiss

Chair Bill Carey, condition suggestion and Commissioner Jean Curtiss

John Newman

John Harris

Discussion

Chair Bill Carey

John Newman

Deborah Evison

Commissioner Jean Curtiss and Deborah Evison

Chair Bill Carey and Deborah Evison

## Commissioner Jean Curtiss

## Commissioner Michele Landquist

## Chair Bill Carey

## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #3, first sentence to read, "All residences within this subdivision shall post address signs visible from the street in all light conditions." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #4 to strike the existing language and insert a requirement that the developer's add to their covenants that no parking is allowed on the south side of Lamar Trail." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Discussion, Condition #10.

Discussion on variance. Staff comment, Greg Robertson and discussion.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #1, to read, "Plans for and installation of a minimum 5-foot wide compacted gravel pedestrian walkway contained within a minimum 10-foot wide non-motorized access easement and separated from the roadway by the drainage swale on the south side of the onsite portion of Lamar Trail shall be reviewed and approved by Missoula County Public Works prior to final plat approval. The Development Covenants shall be amended to include a pedestrian walkway maintenance agreement subject to review and approval by OPG prior to final plat approval." Commissioner Michele Landquist seconded the motion. Chair Bill Carey comment. The motion carried on a vote of 2-1, with Chair Bill Carey opposed.

Commissioner Jean Curtiss conditionally approve the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5-foot wide gravel walkway separated from the roadway by a minimum the drainage swale along the south side of Lamar Trail. Discussion. Ken Jenkins. Discussion. **Motion died for lack of a second.**

Commissioner Jean Curtiss made a motion to **deny** the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5 foot-wide paved walkway separated from the roadway by a minimum 7 foot-wide boulevard/drainage swale along the south side of Lamar Trail. John Newman revision of motion. **Motion died for lack of a second.**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5-foot wide gravel walkway separated from the roadway by the drainage swale along the south side of Lamar Trail. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve Big Buck Subdivision based on the findings of fact and subject to the recommended conditions of approval as amended and found in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

7. **OTHER BUSINESS**

Deborah Evison

8. **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:37 p.m.

**THURSDAY, SEPTEMBER 10, 2009**

BCC met in regular session; all three members present.

ADMINISTRATIVE MEETING

Agreement – BCC signed. Between County and Northwestern Energy to install Expressway intersection street lights/Missoula Development Park. Amount/\$157,194. Originals to Barb Martens/Projects.

Resolution No. 2009-113 – BCC signed, dated September 10, 2009. Abandoning a Portion of Miller Creek Road...of the 1896 Petition Road Right-of-Way located in S1, T12N, R20W.

Resolution No. 2009-114 – BCC signed, dated September 10, 2009. Technology Inc. Dist. Budget Amendment for \$80,000 (Cash Reserves to Legal Services) to cover Dorsey Whitney Direct TV Bond Counsel. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-115 – BCC signed, dated September 10, 2009. 9-1-1 Budget Amendment totaling \$134,381; increasing Capital Outlay budget to cover Quarter Money Capital expenditures. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-116 – BCC signed, dated September 10, 2009. Special Projects/Increment District Budget Amendment for \$17,683; increasing MDP Transfer Out budget to cover pay off of RSID 8487. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County.

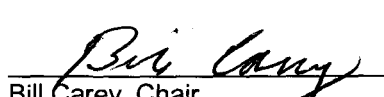
Resolution No. 2009-117 – BCC signed, dated September 10, 2009. Road Budget Amendment for \$27,878; increasing Roads Transfer to Capital budget to cover payoff of InterCap Loan 1086-01. For total disclosure, expenditures included in formal FY09 Operating Budget/Revenue Estimates for County. [Note: this Resolution was deleted on 9/14/09 per request of Accounting Dept.]

Additional discussion item(s): None

**FRIDAY, SEPTEMBER 11, 2009**

BCC met in regular session; all three members present. Noon: JC presided over 9-11 Ceremony held on the Courthouse Lawn.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, SEPTEMBER 14, 2009**

BCC met in regular session; all three members present.

Resolution No. 2009-117 – [BCC signed September 10, 2009; see Journal Entry]. Road Budget Amendment for \$27,878; increasing Roads Transfer to Capital budget to cover payoff of InterCap Loan 1086-01. DELETED per request of Accounting.

Phasing Plan Amendment – At Planning Status meeting, BCC signed letter, dated September 18, 2009 to Buddy Seale, Circle H Ranch, LLC, Summit, NJ, *conditionally approving* amendment to Phasing Plan to revise final plat submittal dates for West Pointe Subdivision, Phases II - V, subject to condition #34 (Weed Management Plan). New deadlines: Phase II/May 23, 2014; Phase III/May 23, 2015; Phase IV, May 23, 2016; and Phase V/May 23, 2017.

Shoreline Permit – BC signed. #10-03 for Applicant Timothy Miller to install (w/conditions) lake source heat pump at 494 Access Road, Big Sky Lake.

TUESDAY, SEPTEMBER 15, 2009

BCC met in regular session; all three members present.

Indemnity Bond – BC signed. Paul Robert Grace, Seeley Lake, Principal for District Court Warrant #30131933, issued March 17, 2009 on County 2180 Fund. Amount/\$72.50 (for jury duty/mileage). Warrant lost.

Indemnity Bond – BC signed. Gerald Eash, Trego, MT, Principal for Western MT Fair Warrant #901249, issued August 11, 2009 on County 7049 Fund. Amount/\$2,880 (for 2<sup>nd</sup> place Bullorama). Warrant mutilated.

#### ADMINISTRATIVE MEETING

AARA Project Agreement Modification – BC signed. Between County and MT DOT for Mullan Road Trail Project (Control #6999). Modifications are additional Federal Highway Administration requirements. Original to Greg Robertson/Public Works.

DUI Task Force Facilitator Contract – BC signed. Offered by MT DOT/continues program. Amount/\$46,000 for .5 FTE position. Original to Julie Mohr/Health Dept.

Project Planning Grant Agreement – BC signed. With DNRC to study feasibility of a regional water system at Wye. Amount/\$20,000. Original to Greg Robertson/Public Works.

Additional discussion item(s): HB 130 Mental Health Funding. Kim Campbell/Brenda Desmond will draft response to Ravalli County's letter to Western MT counties.

WEDNESDAY, SEPTEMBER 16, 2009

BCC met in regular session; all three members present.

Indemnity Bond – BC signed. David Kunzelman, Missoula, Principal for Payroll Warrant #30138842, issued August 28, 2009 on County 7910 Fund. Amount/\$467.52 (for Security at Fair). Warrant lost at bank.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Contract Amendment – BCC signed, dated September 16, 2009. Between County and Properties 2000, formalizing 5% commission due on DIRECTV project, expected in 2016. Estimate (based on fair value of land)/\$67,356. Originals to Ken Staninger/Properties 2000.

Additional discussion item(s): Roundabout demonstration September 29<sup>th</sup>.

Letter - BCC signed, dated September 16, 2009. To Jane Cottrell, USFS, Missoula, enthusiastically supporting acquisition by USFS of Phase 2 Legacy Lands formerly owned by Plum Creek Timber Company.

#### PUBLIC MEETING – SEPTEMBER 16, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning & Grants Planner Mitch Doherty, Office of Planning & Grants Planner John Newman, and Office of Planning & Grants Planner Tim Worley.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### e. Weekly Claims List - \$4,715,728.13

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$4,715,728.13. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### f. Public Announcements

Chair Bill Carey, change order of agenda

##### 6. **CONSIDERATION (continued from September 2, 2009)**

###### a. Mt. Henry Estates (3 lots on 15 acres) - North of Seeley Lake on Boy Scout Road (verbatim transcription not complete)

Chair Bill Carey opened the hearing.

Tim Worley, request from applicant to continue the hearing to October 7

Public Comment

Commissioner Michele Landquist comment

Executive Session, Chair Bill Carey continued the consideration to October 7, 2009

5. **CONSIDERATION (continued from August 19, 2009)**

- a. Meadowlark Terrace Subdivision (2 lots on 2.36 acres) - South 7th Street, west of Reserve (verbatim transcription not complete)

Chair Bill Carey opened the hearing.

Mitch Doherty reviewed the staff report. (PowerPoint)

Developer's representative presentation, Ken Jenkins

Chris Johnson

Gary Bakke

Ken Jenkins

Public Comment

Questions from Commission

Staff comment, Greg Robertson

Questions from Commission

Ken Jenkins

James McCubbin, clarification of statement and lot clarification

Questions from Commission

Chris Johnson

Donna Bakke

Commissioner Jean Curtiss comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners add a new findings of fact under "Roads and Drainage," to read, "An approach permit granted in 2006 expired and to protect the health and safety of the public, Public Works recommends no new approach permit be grant to serve Lot A to reduce conflict points now and in the future." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment

Commissioner Michele Landquist comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the variance request from Article 3.2.3(6), requiring bicycle lanes be provided on South 7th Street West which is functionally classified as a collector street based on the findings of fact in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners delete Condition #4, which reads, "Plans for and installation of "No Parking" signs for the private access road serving Lots A and B of Meadowlark Terrace and Lot 2 of Bakke Estates shall be reviewed and approved by County Public Works and Missoula Rural Fire District prior to final plat approval." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Meadowlark Terrace Subdivision based on the findings of fact as amended and subject to the recommended conditions of approval as amended in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

7. **OTHER BUSINESS**

8. **RECESS**

There being no further business to come before the Board, the meeting was recessed at 2:50 p.m.

**SEPTEMBER 16, 2009 – FINAL FY 2010 BUDGET HEARING**

1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 3:00 p.m.

Commissioners Present: Chair Bill Carey, Commissioner Jean Curtiss and Commissioner Michele Landquist.

Staff Present: Chief Administrative Officer Dale Bickell and Chief Financial Officer Andrew Czorny

2. **FINAL BUDGET HEARING FY 2010**

Andrew Czorny presented the staff report. (PowerPoint)

Questions from Commission

Public Comment

Chair Bill Carey

The hearing was concluded at 3:19 p.m.

The final budget will be adopted at the Board of County Commissioners' Administrative meeting on September 23, 2009.

**THURSDAY, SEPTEMBER 17, 2009**

BCC met in regular session; quorum present. ML out of the office all day.

**ADMINISTRATIVE MEETING**

Lease Agreement – BCC approved/signed, dated September 17, 2009. Between County and Liquid Planet Montana, Inc. for operation of deli space/Courthouse. Term/5 years w/option for 3-year renewal. Amount/\$100 per month + phone charges.

Park Request – Per Parks Board recommendation, BCC approved request to fund up to \$20,000 for safety-related turf improvements on Rick Bean Soccer fields/Fort Missoula Regional Park (total project cost/\$80,000-\$90,000). Work to commence spring of 2010; City Parks & Rec to manage project. Original to Lisa Moisey/County Parks.

Park Request – Per Parks Board/Lolo Parks Advisory Committee recommendation, BCC approved request to allow Eagle Scout Candidate Michael Griffes to make certain improvements to Riverside Park/Lolo. No cost to County. Original to Lisa Moisey/County Parks.

Resolution 2009-119 – BCC approved/signed Reimbursement Resolution for Spooner Creek Open Space Bond Project, using \$25,000 of City's portion of Open Space bond funding for purchase of conservation easement on 207 acres of land owned by Anderson family in Upper Miller Creek area. Easement to be held by Rocky Mountain Elk Foundation.

Resolution 2009-120 – BCC approved/signed Reimbursement Resolution for Spooner Creek Open Space Bond Project, using \$175,000 of County's portion of Open Space bond funding for purchase of conservation easement on 207 acres of land owned by Anderson family in Upper Miller Creek area. Easement to be held by Rocky Mountain Elk Foundation.

Contract – BCC signed. Between County (OPG) and MT DOT/Transportation Planning Division for Missoula TDM Contract/funding for Missoula in Motion for FY 2010 (funds through June 30, 2010). Amount/\$118,818.87. Originals to Alexandria Stokman/MIM/OPG.

Change Order #3 – BCC signed. To contract between County and Buckaroo Construction for restroom remodel/LaLonde Ranch House. Change Order relates to heating ducts/ventilation system/HVAC permit/additional time required. Added costs/\$700.38; total contract cost: \$13,763.85. Original to Barb Martens/Projects.

Contract – BCC signed. Between County and Buckaroo Construction to reconstruct porch/ LaLonde Ranch House. Amount/\$3,814.38. Term/September 18-October 30, 2009. Original to Barb Martens/Projects.

Contract – BCC signed. Between County and Stone Craftmanship to build split rail cedar fence/LaLonde Ranch House. Amount/\$4,800. Term/September 18-October 30, 2009. Original to Barb Martens/Projects.

Change Order #1 – BC signed. To contract between County and L.S. Jensen to construct grass pave parking lot/Mount Jumbo West Little League ballfields/MDP-Park 2. Change Order relates to underground irrigation/installation of curbs, concrete pad & gate/etc. Added costs/\$27,896.50 total contract cost: \$241,009.75. Original to Barb Martens/Projects.

Resolution No. 2009-121 & Notice – BC signed, dated September 17, 2009. Resolution of Intent to adopt a Resolution designating Missoula County as a Recovery Zone for purposes of the American Recovery and Investment Act of 2009 and calling a Public Hearing thereon. Notice of Hearing signed by Debbe Merseal setting hearing for September 30, 2009 at 1:30 pm in County Courthouse Annex.

Letter – Per request of Missoula Metropolitan Planning Organization, BCC & Mayor signed letter, dated September 14, 2009 to Congressman Denny Rehberg, Washington, DC, requesting he not support rescission of \$8.7 billion/Federal-aid transportation funds.

Additional discussion item(s): None

**FRIDAY, SEPTEMBER 18, 2009**

BCC did not meet in regular session. ML out of the office all day; JC at PPL MT Community Fund Board Meeting in Great Falls.

Closing Documents – BC signed all closing documents related to \$317,700 General Fund Note/RSID #8496 (DNRC Revolving Loan Program/2009A Loan), \$165,000 RSID #8496 Bond (DNRC Revolving Loan Program/2009B Loan), and \$89,700 General Fund Note/RSID #8496 (DNRC Revolving Loan Program/2009C Loan). Three originals to Dorsey & Whitney, LLP.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, SEPTEMBER 21, 2009**

BCC did not meet in regular session. ML out of the office all day; JC in Helena through Thursday at MACo 100<sup>th</sup> Anniversary Annual Conference.

**TUESDAY, SEPTEMBER 22, 2009**

BCC did not meet in regular session. JC in Helena through Thursday at MACo 100<sup>th</sup> Anniversary Annual Conference.

**WEDNESDAY, SEPTEMBER 23, 2009**

BCC met in regular session; quorum present. JC in Helena through Thursday at MACo 100<sup>th</sup> Anniversary Annual Conference. Afternoon: BC/ML met with Sheriff re: Imperial Oil hauling heavy loads through County.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Addendum – BCC signed. Between County (Missoula in Motion) and saltStudio, Inc. for public education sustainable transportation options campaign. Addendum adds \$5,000 to original \$40,000 contract (from CMAQ funds). Original to Alex Stokman/OPG.

Contract – BCC signed. Missoula Transit Specific Transportation Demand Management Contract between County, Missoula OPG, & MUTD for FY 2010 (October 1, 2009-June 30, 2012). Amount/\$385,000. Original to Alex Stokman/OPG.

Letter - BCC signed, dated September 23, 2009. To Gus Byrom, CDBG Program, DOC, Helena, requesting extension (to December 31, 2009) of deadline on special condition of award for Mountain Home CDBG funds in amount of \$450,000. Extension requested to meet cycle of funding from private foundations/events. Original to Jean Harte/OPG.

Contract – BCC signed. Between County and Talco Electric Construction, Inc. to install three solar-powered street lights at intersection of W. Harrier/Trumpeter Way and E. Harrier/Tanager Way. Amount/\$42,150. One original to C&R/two originals to Barb Martens/Projects.

Resolution No. 2009-122 – BCC signed, as follows:

**ADOPTING A BUDGET FOR MISSOULA COUNTY  
FOR FISCAL YEAR 2009-2010**

**WHEREAS, PURSUANT TO SECTION 7-6-2315, MCA**, the Board of County Commissioners of Missoula County, Montana, has held hearings and passed resolutions as applicable under the above section; and

**WHEREAS, PURSUANT TO SECTIONS 15-10-202 through 15-10-208 MCA**, the Board of County Commissioners of Missoula County, Montana has held hearings and passed resolutions as applicable under the above section; and

**WHEREAS, Sections 7-6-2317 through 7-6-2326, MCA**, provide for the fixing of various tax levies to raise funds sufficient to meet said expenditures authorized in the budget; and

**WHEREAS, THE DEPARTMENT OF REVENUE** is required to certify to the County Commissioners the value of a mill for each taxing jurisdiction in the County under Sections 15-8-201 and 15-10-202 MCA; and

**NOW, THEREFORE, BE IT RESOLVED**, that the final County Budget for Fiscal Year 2009-2010 be as set out in Attachments A, B and C, and the same is hereby adopted as the final budget, subject to the conditions set forth below.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the levies as detailed below be fixed and adopted for Fiscal Year 2008-2010, based on the mill value of \$190,855 County-wide, and a value of \$88,203 outside the City limits of Missoula, and a value of \$188,899 for the Open Space Bonds which tax all non-timber and non-agricultural lands within the County.

Fund	Mills	Attachment
<b>Countywide</b>		
General	39.68	A, B, and C
Poor	5.17	A and C
Bridge	4.81	A and C
Weed	2.37	A and C
Child Daycare	0.33	A and C
Fair	0.35	A and C
District Court	3.06	A and C
Park	1.18	A and C
Library	11.79	A and C
Planning	3.32	A and C
Substance Abuse Prevention Levy	1.93	A and C



Aging	3.19	A and C
Extension	1.72	A and C
Mental Health	0.57	A and C
Search & Rescue	0.46	A and C
Public Safety	41.01	A and C
Permissive Medical Levy	4.19	A and C
Museum	2.25	A and C
Technology	2.57	A and C
Risk Management	2.65	A and C
	<hr/> 132.60	

**Debt Service**

Risk Management Bond	0.60	A and C
Jail Bond	5.74	A and C
Open Space Bond	1.66	A and C
Total Debt Service	<hr/> 8.00	

**Total County-Wide**

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140.60**County Only**

Road	23.22	A and C
Health	9.14	A and C
Animal Control	1.60	A and C
Permissive Medical Levy (County Only)	1.84	A and C
County Only	<hr/> 35.80	

**DATED THIS 23<sup>rd</sup> DAY OF SEPTEMBER, 2009**

APPROVED AS TO FORM &amp; CONTENT:

BOARD OF COUNTY COMMISSIONERS

s/ \_\_\_\_\_  
 Martha E. McClain  
 County Attorney's Office

s/ \_\_\_\_\_  
 Bill Carey, Chairman

ATTEST:

[Not available for signature]  
 Jean Curtiss, Commissioner

s/ \_\_\_\_\_  
 Vickie M. Zeier, Clerk and Recorder

s/ \_\_\_\_\_  
 Michele Landquist, Commissioner

Attachments A, B and C to Resolution 2009-122 are on file in the Clerk and Records Office

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated September 17, 2009. Amount/\$57,038.98. Document to County Auditor.

Additional discussion item(s): None

Letter - BCC signed, dated September 23, 2009. To Tony Liane, Area Manager, MT DNRC, Missoula, commenting on/supporting proposed purchase of select Legacy timber lands by DNRC in Potomac area.

Letter - BCC signed, dated September 23, 2009. To Patrick Browne, Missoula Strikers Soccer Association, Missoula, strongly supporting interest in leasing land at Western MT Fairgrounds. Negotiations cannot begin until Fair planning process is completed.

Letter - BCC signed, dated September 23, 2009. To Dennis Elliot, Missoula, responding to his letter re: changing addresses on Evaro Road. After extensive discussion, BCC/Public Works will properly range and address new alignment.

**PUBLIC MEETING – SEPTEMBER 23, 2009 [CANCELED: No Agenda Items]**

THURSDAY, SEPTEMBER 24, 2009

BCC#010 PAGE 0046

BCC met in regular session; quorum present. JC in Helena through Thursday at MACo 100<sup>th</sup> Anniversary Annual Conference. Morning: BC attended Milltown's "Last Train Load" Celebration.

ADMINISTRATIVE MEETING


Extension Request – BCC reviewed/signed letter, dated October 20, 2009 to Josh Gill, Renton, WA, approving one-year extension of final plat submittal deadline for Lexi Hills Subdivision. New deadline/ March 26, 2011. Request made so subdivider can proceed with installation of improvements during 2010 construction season.

Additional discussion item(s): None

FRIDAY, SEPTEMBER 25, 2009

BCC met in regular session; quorum present. JC out all day at workshop. Morning: BC/ML accompanied Tim Elsea/Public Works on tour of Big Flat Road.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

MONDAY, SEPTEMBER 28, 2009

BCC met in regular session; all three present. Afternoon: BCC attended Event Center Presentation, held at Broadway Conference Center.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Missoula RFD Agreement; 3) Huffmon Shoreline Permit (*action*); 4) Sapphire Ridge at Red Quill Ranch Improvement Agreement Extension (*action*); 5) Sequoyah at Red Quill Ranch Subdivision; and 6) OPG Director's Update.

Shoreline Permit – BC signed. #10-04 for Applicant Wayne Huffmon to replace existing dock at 273 Rainbow Run, Big Sky Lake.

Amended Agreement – BCC signed, dated September 28, 2009. Amended Subdivision Improvements Agreement & Guarantee with RQR Development, First National Bank of MT, and Missoula County, for Sapphire Ridge Subdivision (relating to road/storm drainage items). Estimated costs/\$501,504.24. Standby Letter of Credit guaranteed by First National Bank of Missoula.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 20/CY2009 - Pay Date: September 25, 2009. Total Payroll: \$1,165,786.52. Document to County Auditor.

TUESDAY, SEPTEMBER 29, 2009

BCC met in regular session; all three present.

Replacement Warrant - BC signed. Kelly Sedgwick Read, Missoula, Principal for MCPS Warrant #197060, issued September 18, 2009 on County Payroll Fund. Amount/\$69.26 (for wages). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - BC signed. Kelly Sedgwick Read, Missoula, Principal for MCPS Warrant #196691, issued August 20, 2009 on County Payroll Fund. Amount/\$23.09 (for wages). Warrant not received in mail; no bond of indemnity required.

ADMINISTRATIVE MEETING

Notice of Completion – BCC signed. For appropriation of ground water/Lewis and Clark Subdivision pertaining to RSIDs 8918 and 8496 in order to file with MT DNRC. Original to Greg Robertson/Public Works.

Letter and Resolution No. 2009-125 – BC signed letter accepting \$41,512.91 from FY09 US Dept. of Homeland Security Grant to revise County Emergency Operations Plan. Funds must be used by March 31, 2011. BCC signed Resolution/Budget Amendment for OEM, relating to above grant funds awarded by MT DES on September 21, 2009. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County. Originals to Bob Reid/DES.

Collective Bargaining Agreement – BCC signed. Between County and Detention Officers' Association of Missoula County for 2009-2010. Originals to Patty Baumgart/HR.

Agreement – BCC signed. Between County and Missoula Rural Fire District wherein District agrees to perform fire-related reviews/inspections of subdivision applications/conditions per new Implementation Standards (July 22, 2009).

Letter - BCC signed, dated September 29, 2009. To Doug Moeller, Missoula District Administrator, MT DOT, asking for speed study on portion of Mullan Road, near pulp mill (per request from concerned citizen).

Additional discussion item(s): 1) City proposal to remove extraterritorial jurisdiction of garbage ordinance; and 2) Status of Third Street and Interlocal with City of Missoula.

**WEDNESDAY, SEPTEMBER 30, 2009**

BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Satisfaction of State CDBG Sanitary Sewer Grant Program Agreements – BCC signed, dated September 30, 2009, declaring fees fully paid/ satisfied/discharged for qualifying low/moderate-income residents/property owner of East Missoula County Sewer District. For:

- 1) Leslie K. Hane, 540 Robinson, Missoula;
- 2) Warren/Connie Bucy, 220 Clyde, Missoula; and
- 3) Randy Brumback/Riccoco Mara, 403 Speedway, Missoula.

Originals to Nancy Harte/OPG.

Contract – BCC signed. Between County and MT DEQ for reimbursement to Health Dept. for subdivision review services pursuant to MT Sanitation in Subdivisions Act. Amount/between \$25,000-\$40,000. Original to Julie Mohr/Health Dept.

Additional discussion item(s): None

**PUBLIC MEETING – SEPTEMBER 30, 2009**

**1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning & Grants Planner Tim Worley, Assistant Chief Deputy Clerk & Recorder Kim Cox, Chief Financial Officer Andrew Czorny, Seeley Lake Road Supervisor Dave Harrison, Environmental Health Director Jim Carlson, and Office of Planning and Grants Senior Planner Mary McCrea.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

- g. Weekly Claims List for Two Weeks - \$2,548,681.34  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,548,681.34. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

- h. Public Announcements

**5. PROCLAMATION**

- a. Relationship Violence Awareness Month  
 Chair Bill Carey introduced the proclamation.  
 Commissioner Jean Curtiss read the proclamation.

Chair Bill Carey moved Item 7e up in the agenda order.

- e. Sequoyah at Red Quill Ranch (14 lots on 164 acres - located adjacent to Ravalli County, NE of Florence on Morgans Run Trail) staff report  
 Chair Bill Carey opened the hearing.  
 Kirby Christian, request for extension  
 Staff comment, Tim Worley  
 Staff comment, Mary McCrea  
 Public Comment  
 Executive Session  
 Chair Bill Carey, hearing recessed to October 7  
 Kirby Christian

**6. HEARING (Certificate of Survey)**

- a. Michael Rose Family Transfer  
 Chair Bill Carey opened the hearing.  
 James McCubbin presented the staff report.  
 James McCubbin questioned the applicant, Michael Rose. 1:43:19 PM The family transfer, if approved, would do away with the subdivision for lease or rent

Questions from Commission  
Public Comment  
Executive Session

Commissioner Jean Curtiss

James McCubbin, suggested notation for approval letter

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Michael Rose to create two additional parcels by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. In addition, the approval letter should reflect that by changing these boundaries, it would nullify the need for the lease or rent that was approved in 2005. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 7. HEARINGS

- a. Fire District Annexation into Missoula Rural Fire District (Mackintosh Manor - Lots 16A, 40A, 41A, 42, 43, Lot 40A-1)

Chair Bill Carey opened the hearing. (staff report)

Kim Cox verified the petition.

Commissioner Jean Curtiss

Staff comment, Kim Cox

Staff comment, Greg Robertson

Public Comment

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the petition to annex the property described as SUID 3726309, SE ¼ Section 15, Township 11N, Range 20W AND SUID 3726203, SE ¼ and SW ¼ Section 15, Township 11N, Range 20W into the Missoula Rural Fire District as presented in the staff report. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

- b. Resolution to Create RSID 8497 (Williams Addition) - located in the Wye area, nine miles NW of Missoula

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Jon Gass, WGM and Jim Carlson (PowerPoint)

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution to create the Rural Special Improvement District 8497 for Williams Addition area, connection to Wye Area Sanitary Sewer. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-1, with Commissioner Michele Landquist abstaining.

- c. Resolution to Designate Missoula County as an Economic Recovery Zone

Chair Bill Carey opened the hearing.

Andrew Czorny presented the staff report. (PowerPoint)

Mae Nan Ellingson, Dorsey & Whitney

Commissioner Jean Curtiss and Mae Nan Ellingson

Ellen Buchanan, Missoula Redevelopment Agency

Commissioner Jean Curtiss and Ellen Buchanan

Mae Nan Ellingson

Staff comment, Andrew Czorny

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt a resolution designating Missoula County as a Recovery Zone for purposes of the American Recovery and Reinvestment Act of 2009. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution reallocating a portion of the County's Bonding capacity under the American Recovery and Reinvestment Act to the City of Missoula as defined in the resolution. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Bonding Authority Waiver-Reallocation form, reallocating a portion of the County's American Recovery and Reinvestment Act bonding capacity to the City of Missoula. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, direct staff to do press release and policy for living wage et. al.

- d. Pine Street Parking Restrictions - Seeley Lake

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report. (Correction Pine Drive, not Pine Street) Greg

Robertson recommended revising documents, taking into account public comment

Staff comment, James McCubbin and Greg Robertson

Public Comment  
John Richards  
Kevin Wetheral (read by Cathie Cichosz)  
Walt Hill  
Commissioner Jean Curtiss  
Staff comment, Dave Harrison  
Discussion  
John Richards  
Staff comment, James McCubbin and John Richards  
Commissioner Michele Landquist and John Richards  
Walt Hill  
Chair Bill Carey  
Greg Robertson, recommend two weeks for continuation  
Commissioner Jean Curtiss comment  
Commissioner Michele Landquist comment  
Chair Bill Carey, recess hearing to October 14  
John Richards, requested continuation after October 20  
Chair Bill Carey, hearing continued to October 21.

**8. OTHER BUSINESS**

**9. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:38 p.m.

Following Public Meeting:

Resolution No. 2009-118 - BC signed, dated September 30, 2009. Creating RSID 8497 for Williams Addition Area, Connection to Wye Area Sanitary Sewer. Resolution of Intent adopted August 12, 2009.

Resolution No. 2009-126 - BCC signed, dated September 30, 2009. Annexing Property Into Missoula Rural Fire District; SUID 3726309 AND SUID 3726203, Mackintosh Manor Lots.

[Note: The following three items signed after Public Meeting. Originals sent to State for processing/were not recorded. Documents re-signed on October 13, 2009/sent to Clerk & Recorder.]

Resolution No. 2009-123 - BCC signed, dated September 30, 2009. Designating Missoula County as a Recovery Zone for Purposes of the American Recovery/Reinvestment Act of 2009.

Resolution No. 2009-124 - BCC signed, dated September 30, 2009. Reallocating Recovery Zone Economic Development Bond Volume Cap and Recovery Zone Facility Volume Cap to City of Missoula Under American Recovery/Reinvestment Act of 2009.

County Bonding Authority Waiver/Reallocation Form - BCC signed, dated September 30, 2009. Pertaining to Allocation of Recovery Zone Economic Development and Zone Facility Bonds.

MISSOULA COUNTY COMMISSIONERS' JOURNAL: OCTOBER, 2009
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BCC = BOARD OF COUNTY COMMISSIONERS

BC = Commissioner Bill Carey, Chair

JC = Commissioner Jean Curtiss

ML = Commissioner Michele Landquist

The following Claims Lists were signed during the month of OCTOBER 2009:

Date Signed	Claims List Date	Who signed	Amount
October 1, 2009	September 30, 2009	BCC	\$72,872.42
			\$38,080.68
			\$2,169.14
October 2, 2009	October 1, 2009	BCC	\$46,370.07
			\$1,674.77
			\$8,436.20
			\$2,952.83
October 5, 2009	October 5, 2009	BCC	\$1,337.19
			\$100,724.15
			\$35,753.18
			\$90,662.52
October 6, 2009	October 5, 2009	BCC	\$69,458.59
October 7, 2009	October 6, 2009	BCC	\$7,731.92
			\$27,674.63
October 7, 2009	October 7, 2009	BCC	\$27,123.52
			\$137,834.33
October 8, 2009	October 7, 2009	BCC	\$40,420.99
			\$34,987.58
October 8, 2009	October 8, 2009	ML, JC	\$424,782.46
			\$270,937.42
			\$3,905.27
October 9, 2009	October 8, 2009	ML, JC	\$29,618.81
October 14, 2009	October 13, 2009	BCC	\$34,399.07
			\$37,713.43
October 14, 2009	October 14, 2009	BCC	\$85,511.06
			\$9,972.05
			\$7,283.43
October 15, 2009	October 15, 2009	BCC	\$2,306.25
			\$3,231.41
			\$28,063.39
October 19, 2009	October 15, 2009	BC, ML	\$1,184,576.90
			\$95,559.30
			\$24,824.54
October 19, 2009	October 16, 2009	BC, ML	\$1,246,594.31
			\$5,235.36
October 19, 2009	October 19, 2009	BCC	\$210,972.79
October 19, 2009	October 19, 2009	BC, JC	\$381.62
			\$657.61
October 20, 2009	October 19, 2009	BCC	\$6,023.87
			\$1,413.98
			\$8,578.16
October 20, 2009	October 20, 2009	BCC	\$31,820.97
			\$6,511.64
			\$38,516.49
			\$77,383.00
October 22, 2009	October 21, 2009	BCC	\$93,147.78
October 22, 2009	October 22, 2009	BCC	\$5,695.34
			\$14,343.90
			\$33,209.65
			\$37,141.35
October 23, 2009	October 22, 2009	BCC	\$33,422.73
			\$66,112.19
October 26, 2009	October 26, 2009	BCC	\$17,356.20

October 27, 2009	October 26, 2009	BCC	\$13,513.75
October 27, 2009	October 27, 2009	BCC	\$87,621.59
			\$897.48
			\$1,369.26
October 28, 2009	October 28, 2009	BCC	\$2,854.06
			\$38,716.50
			\$20,151.98
			\$1,268.05
October 29, 2009	October 28, 2009	BCC	\$33,699.95
			\$149,010.99
October 30, 2009	October 29, 2009	BCC	\$32,719.90
			\$4,000.00
			\$31,034.10
October 30, 2009	October 30, 2009	JC, ML	\$5,903.75

All Claims Lists were returned to the Accounting Department.

#### THURSDAY, OCTOBER 1, 2009

BCC met in regular session; all three present. Noon: JC attended CASA's "Forgotten Child" Campaign Kick-off Event, held on Courthouse lawn.

#### ADMINISTRATIVE MEETING

Request – BCC approved up to 80 hours overtime pay/\$19,356 for health department managers (excluding department director) for response to influenza pandemic. Original to Julie Mohr/Health Dept.

Change Order/Certificate – BC signed. With Valley Landscape, Inc. for MDP County Parks #2, 3, 4 & 6 improvements to: 1) amend underground irrigation to connect to mainline; and 2) bore under sidewalk; and 3) add valve & eight irrigation heads in Park #3. Added costs/\$2,200. Also signed: Certificate of Completion for improvements in Park #2, Mount Jumbo West Little League Ballfields. Original to Barb Martens/Projects.

Contract Amendment #2 – BC signed. Changes contract with Architects Design Group for Public Safety Building (dated December 11, 2007) at County Detention Center to County Secure Storage Buildings. Total/\$241,363; Reimbursable Services/\$25,055. Originals to C&R and Larry Farnes/Facilities.

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated September 30, 2009. Amount: \$3,847.87. Document to County Auditor.

Additional discussion item(s): University bid for NCAA Division 1 Football championship game.

#### FRIDAY, OCTOBER 2, 2009

BCC met in regular session; all three present.

Site Visit: BC participated in site visit to Seeley Lake.

Replacement Warrant - BC signed. Scott A. Jenkins, Missoula, Principal for MCPS Warrant #197036, issued September 18, 2009 on County Payroll Fund. Amount/\$843.03 (for wages). Warrant issued to wrong individual; no bond of indemnity required.

Letter - BCC signed letter, dated October 2, 2009 to David Clendenin, National Collegiate Athletic Assoc., Indianapolis, IN, strongly supporting community's efforts in bid to host the NCAA Division I Championship Game/January, 2011.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

#### MONDAY, OCTOBER 5, 2009

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda (*info only*): 1) Public Comment; 2) Mount Henry Estates Subdivision; 3) Beetle-kill trees/Shoreline Protection Zone; 4) Revised County Subdivision Applications; and 5) OPG Director's Update.

Lease Agreement – BCC approved/signed renewal lease agreement, dated January 1, 2010 between County and Chris & Marie-Ange Buzan for offices of Missoula in Motion/OPG Transportation at 127 West Spruce Street. Monthly rent increased by \$50 to \$2,600. Term/12 months. Originals to Ann Cundy/OPG.

TUESDAY, OCTOBER 6, 2009

BOOK 010 PAGE 0052

BCC met in regular session; all three present in a.m. ML out of the office all afternoon.

Plat & Covenant – BCC signed. Owner-KMJ Ventures, LLC. KMJ Addition, E½ of Section 1, T 13 N, R 20 W, PMM, Missoula County. Total area/3.82 acres. Copy of Development Covenant (re: Address Signs & Weeds), signed by BCC, dated March 15, 2006, attached/in file.

Monthly Report – BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending September 30, 2009.

#### ADMINISTRATIVE MEETING

Contract – BCC signed. Between County and Wilbur Smith Associates (Salt Lake City) to print 12 copies of 2008 Long Range Transportation Plan. Amount/\$1,200. Originals to Ann Cundy/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Western MT Addiction Services for Substance Abuse Prevention/Flagship Program. Term/July 1, 2009-June 30, 2010. Amount/\$120,000. One original to Peggy Seel/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Western MT Addiction Services for Substance Abuse Prevention/Project Success. Term/July 1, 2009-June 30, 2010. Amount/\$111,766. One original to Peggy Seel/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Western MT Addiction Services for Substance Abuse Prevention/Minor in Possession Program. Term/July 1, 2009-June 30, 2010. Amount/\$6,500. One original to Peggy Seel/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Big Brothers Big Sisters/Community Mentoring Program. Term/July 1, 2009-June 30, 2010. Amount/\$32,000. One original to Peggy Seel/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Frenchtown High School/After School Program. Term/July 1, 2009-June 30, 2010. Amount/\$30,000. One original to Peggy Seel/OPG.

Agreement – BCC signed, dated October 6, 2009. Between County and Western MT Mental Health Center Addiction Services for Alcohol/Other Drug Treatment and Prevention Services Plan. Term/July 1, 2009-June 30, 2010. Amount/\$121,883. One original to Peggy Seel/OPG.

Board Appointments - BCC appointed Richard Neff and Carole Boulter as Trustees of East Missoula Rural Fire District (due to resignation in June of Barbara Gausted and Bryan Tracer). Term will run only to May 2010 Special District Election.

Grant – BC and Bob Reid signed document accepting Community Oriented Policing Services grant (US DOJ Technology Program Grant #2009CKWX0471) for \$750,000 to be used for Emergency Operation Center. Originals to Bob Reid/Emergency Services.

Additional discussion item(s): 1) Big Flat Road project; and 2) Flathead Forest Motorized Vehicle Maps response.

WEDNESDAY, OCTOBER 7, 2009

BCC met in regular session; all three present. Noon: JC attended MFVC Award Ceremony, held in Courthouse Rotunda.

Indemnity Bond - BC signed. Hellgate Booster Club, Missoula, Principal for MCPS A/P Warrant #27-200148, issued May 27, 2009 on County 84/Student Activity Fund. Amount/\$1,056. Warrant lost.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed, dated September 10, 2009. Between County and OZ Architects, PC, for PHC's Phase 1 & Phase II – Clinic & Pharmacy Remodel. Amount to be billed monthly on hourly basis/construction to be bid. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated September 28, 2009. Between County and Gary Peterson, DDS for dental services at PHC. Amount/\$37 per patient until June 30, 2010. Term/September 28, 2009-June 30, 2010. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated October 7, 2009. Between County and UofM Psychology Department for placement of students at PHC for mental health intakes. Amount/not to exceed \$8,400. Term/September 1, 2009-June 30, 2010. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated October 1, 2009. Between County and Scott Murray, P.A. for 1.0 FTE services at PHC. Amount/\$75,000 yearly. Term/October 1, 2009-June 30, 2011. Three originals to PHC for further signatures/handling.

Contract – BCC signed October 1, 2009. Between County and PHC for CBO funding for primary care/case management services to medically under-served in County. Amount/not to exceed \$237,000. Term/July 1, 2009-June 30, 2010. Three originals to PHC for further signatures/handling.



BOOK 010 PAGE 0053

Task Order (Grant) – BC signed. #10-07-5-21-060-0 to contract between MT DPHHS and Health Department County Unified Government Master Contract covering period July 1, 2005-June 30, 2012 for County Breastfeeding Peer Counselor Program. Grant for \$24,816 for period October 1, 2009-September 30, 2010. Originals to Julie Mohr/Health Department.

Task Order (Grant) – BC signed. #10-07-5-21-014-0 to contract between MT DPHHS and Health Department County Unified Government Master Contract covering period July 1, 2005-June 30, 2012 for County WIC Program. Grant for \$449,601 for period October 1, 2009-September 30, 2010. Originals to Julie Mohr/Health Department.

Additional discussion item(s): None

## **PUBLIC MEETING – OCTOBER 7, 2009**

### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning & Grants Planner Tim Worley and Office of Planning and Grants Planner John Newman, County Parks Coordinator Lisa Moisey, Assistant Public Works Director Tim Elsea, and Office of Planning & Grants Senior Planner Mary McCrea.

### **2. PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENT**

Deanne Farrell

### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

#### **a. Weekly Claims List - \$541,215.04**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$541,215.04. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

#### **b. Public Announcements**

### **5. CONSIDERATION (continued from September 2 and 16, 2009)**

#### **a. Mt. Henry Estates (3 lots on 15 acres) - North of Seeley Lake on Boy Scout Road**

Chair Bill Carey opened the hearing.

Tim Worley reviewed the staff report and presented a memo of modified motions and conditions of approval.

Questions from Commission

Developer's representative presentation, Larry Popp (Exhibits)

Public Comment

Lisa Moisey

Staff comment, Greg Robertson and Tim Worley

Questions from Commission

Staff comment, Lisa Moisey

Staff comment, Tim Worley

Greg Robertson and Commissioner Jean Curtiss

Questions from Commission

Executive Session

Commissioner Jean Curtiss comment

Larry Popp

Staff comment, James McCubbin

Commissioner Jean Curtiss, findings of fact. Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a finding of fact that states, "Based on development pattern in the area and the recommended density in the Seeley Lake Plan, which is not adopted for this neighborhood, and with no adjoining pedestrian facilities, this would not present a threat to public safety, health, and welfare. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, variance criteria #2, the conditions upon this request for a variance is based or unique to the property. Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a finding of fact to state, "To address the topography of this property, it makes more sense for the portion of this trail to be located outside of the current right-of-way on Boy Scout Road and to be built without retaining walls, therefore, the proposed easement by the property owner would address those concerns." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, due to the nature of the physical surroundings, the hardship the owner would result if a strict letter of these regulations were enforced. Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a finding of fact to state, "Existing road side slopes made pedestrian walkway construction costly when requiring retaining walls. The additional dedication of easement would allow for a better

design that could meet ADA requirements." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, variance would not in any manner violate the provisions of Missoula County Zoning Regulations or Missoula County Comprehensive Plan. Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a finding of fact to state, "This variance request would not violate the provisions of the Missoula County Zoning Resolutions, as the site is unzoned, or the Missoula County/Seeley Lake Comprehensive Plan, as it is in draft form, given the specific existing and proposed density of this area. Seeley Lake Community Council supports the conditional variance of the easement for a future trail." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, the variance will not cause any increase in public costs. Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a finding of fact to state, "The easement and design of the proposed trail on the exhibits presented today would meet future project goals with possible state and federal funding." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners leave language as is written in the project and leave the sentence that says, under #5, "With the proposed RSID waiver in place, if at a future date it was determined that trails were needed, the pro rata cost would be born in a more equitable manner by all the future local residents and not a general taxpayer cost." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, #6, the hardship has not been created by the applicant or the applicant's agents or assigns. Commissioner Jean Curtiss made a motion that the Board of County Commissioners leave the language as proposed, which states, "The hardship was not created by any of the above. The topographical constraints along Boy Scout Road and the rural nature of the location are existing physical conditions." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners conditionally approve the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway along the perimeter of a subdivision that abuts a road to require installation of a pedestrian walkway as depicted on the walkway exhibit dated October 7, 2009 and submitted as part of the public record." Commissioner Michele Landquist seconded the motion. Chair Bill Carey stepped out of the meeting and asked the Commissioners to continue. The motion carried on a vote of 2-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway along the perimeter of a subdivision that abuts a road to require installation of a pedestrian walkway along the north side of Mount Henry Lane adjacent to the subdivision. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 2-0. Chair Bill Carey out of the meeting.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve Mount Henry Estates Subdivision based on the findings of fact and subject to the recommended conditions of approval found in the staff report and the memo dated October 7, 2009 from Tim Worley, and as amended by previous action in regard to the variance. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 2-0. Chair Bill Carey out of meeting.

Commissioner Jean Curtiss comment  
Commissioner Michele Landquist comment  
Chair Bill Carey returned to meeting

## 6. HEARING (continued from September 30, 2009)

- a. Sequoyah at Red Quill Ranch (14 lots on 164 acres) - located adjacent to Ravalli County, NE of Florence on Morgans Run Trail  
Chair Bill Carey opened the hearing.  
Tim Worley reviewed the staff report.  
Staff comment, James McCubbin, recommendation to proceed to appeal procedure, whether or not new application is required because of new mitigation information from the developer's representative  
Developer's representative, Kirby Christian  
Tim Worley presentation (PowerPoint)  
Staff comment, Mary McCrea  
Kirby Christian

Commissioner Jean Curtiss and Kirby Christian  
Staff comment, James McCubbin  
Kirby Christian  
Developer's representative presentation, Ron Ewart (PowerPoint)  
Steve Fisher, Wildlife Biologist

Staff comment, Mary McCrea  
 Kirby Christian  
 Nikki Sardot  
 Questions from Commission and Commissioner Michele Landquist comment  
 Commissioner Jean Curtiss comment  
 Public Comment  
     Kirby Christian  
 Staff comment, James McCubbin  
 Kirby Christian  
 Staff comment, Tim Worley and Chair Bill Carey  
 Staff comment, Mary McCrea  
 Commissioner Michele Landquist  
 Nikki Sardot and Commissioner Michele Landquist  
 Commissioner Jean Curtiss and Commissioner Michele Landquist  
 Ron Ewart  
 Staff comment, James McCubbin and Ron Ewart  
 Kirby Christian  
 Staff comment, James McCubbin  
 Commissioner Michele Landquist and James McCubbin  
 Kirby Christian  
 Commissioner Jean Curtiss  
     Kirby Christian  
 Chair Bill Carey  
 Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the appeal and affirm staff's recommendation to ask for a new application. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

#### 7. OTHER BUSINESS

Staff comment, James McCubbin  
 Kirby Christian  
     Commissioner Jean Curtiss, James McCubbin, and Kirby Christian  
 Staff comment, Mary McCrea

#### 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:29 p.m.

### THURSDAY, OCTOBER 8, 2009

BCC met in regular session; quorum present. BC on vacation through October 12<sup>th</sup>.

#### ADMINISTRATIVE MEETING

Certificate of Substantial Completion – JC (Acting Chair) signed. To contract with Patterson Enterprises, Inc. to construct four small shelters/one picnic shelter/three freestanding benches for Parks 3, 4 & 6 within MDP. Original to Barb Martens/Projects.

Collective Bargaining Agreement – BCC signed. Between County and AFSCME Council No. 9 (9-1-1 Unit) for the period 2009-2011. Two originals to HR for further handling.

Contract – BCC signed. Between County and National Coalition Building Institute for provision of "Respect Club". Amount/\$10,500. Term/July 1, 2009-June 30, 2010. One original to Peggy Seel/OPG.

Contract – BCC signed. Between County and Missoula Indian Center for Project Success/Willard School. Amount/\$34,000. Term/July 1, 2009-June 30, 2010. One original to Peggy Seel/OPG.

Request – BCC approved/JC (acting Chair) signed award for Engineering Services Contract for development of PER for Spring Meadows Addition Sanitary Sewer Project to WGM Group. Three originals to Greg Robertson/Public Works.

Contract – BCC signed. Between City-County Health Dept. (County DUI Task Force) and MT Dept. of Corrections/Probation & Parole, for home visits/bar checks, etc. to ensure conflicted DUI felons in compliance with conditions of supervision. Amount/up to \$5,000. Term/June 1, 2009-September 30, 2010. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Contract – BCC signed. Between City-County Health Dept. (County DUI Task Force) and MT Highway Patrol to support DUI enforcement/education activities. Amount/up to \$10,000. Term/June 1, 2009-September 30, 2010. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Contract – BCC signed. Between City-County Health Dept. (County DUI Task Force) and OPG to support activities of Missoula Underage Substance Abuse Prevention Coalition. Amount/up to \$5,000. Term/June 1, 2009-September 30, 2010. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Contract – BCC signed. Between City-County Health Dept. (County DUI Task Force) and Missoula Police Dept. to support DUI enforcement/education activities. Amount/up to \$10,000. Term/June 1, 2009-September 30, 2010. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Contract – BCC signed. Between City-County Health Dept. (County DUI Task Force) and County Sheriff's Dept. to support DUI enforcement/education activities. Amount/up to \$7,500. Term/June 1, 2009-September 30, 2010. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Request – BCC approved proposal from Horizon Tree Service to clear trail in Tom Green Nature Park of large cluster of trees that fell over trail/irrigation ditch, and to remove dead tree. Amount/\$600 from Tom Green RSID. Original to Lisa Moisey/County Parks.

Resolution No. 2009-127 – BCC signed, dated October 8, 2009. Adopting RSID Budget for Missoula County for Fiscal Year 2009-2010 in amount of \$13,360,173.

Letter – BCC signed, dated October 7, 2009. To Doug Moeller, Missoula District, MT DOT, re: speed limit investigation/US Highway 12, Lolo West. BCC requests lower speed limit and asks study be re-evaluated due to future construction of bicycle/pedestrian trail.

Letter – BCC signed, dated October 6, 2009. To Doug Moeller, Missoula District, MT DOT, re: speed limit recommendation/US Highway 93, immediately south of Lolo. BCC believes proposal is acceptable compromise.

Additional discussion item(s): Fair Planning Process Update.

**FRIDAY, OCTOBER 9, 2009**

BCC met in regular session; quorum present. BC on vacation through October 12<sup>th</sup>.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 21/CY2009 - Pay Date: October 9, 2009. Total Payroll: \$1,188,385.56. Document to County Auditor.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, OCTOBER 12, 2009**

**COURTHOUSE WAS CLOSED IN OBSERVANCE OF COLUMBUS DAY**

**TUESDAY, OCTOBER 13, 2009**

BCC met in regular session; all three present. Afternoon: BCC participated in Tour of Fair Election Offices/Building 15/Fairgrounds.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Willowbrook Subdivision Phasing Plan Amendment (*action*); 3) Bridger Addition Subdivision; 4) Zoning Districts #4, 10, 12A, 30 & 36/ Home Occupation standard amendment.

Phasing Plan Amendment – BCC reviewed/signed letter, dated October 23, 2009 to Perry Ashby/Westmont Builders, Inc. approving amendment to phasing plan for Willowbrook Meadows Subdivision. New final plat submittal deadlines: 1) Phase 2/Lots 7-13, January 7, 2012; 2) Phase 3/Lots 14 & 30-33, January 7, 2013; 3) Phase 4/Lots 15, 16 & 27-29, January 7, 2014; 4) Phase 5/Lots 23-26, January 7, 2015; and 5) Phase 6/Lots 17-22 & 34, January 7, 2016.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending September 30, 2009.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending September 30, 2009.

**ADMINISTRATIVE MEETING**

Resolution No. 2009-128 – BCC signed, dated October 13, 2009. Approving exclusion of Tribal Trust Forest Land from Arlee Fire District to decrease District's financial/organizational liability.

Board Appointment – BCC reappointed Gary Buehler to Lolo Community Council (due to resignations of Robert Turner/Steven Cunningham). Mr. Buehler's term will run only to May 2010 Special District Election.

Letter & Form - BC signed letter and accompanying form, dated October 7, 2009 to Karen Warner, Grants Management Specialist, SAMHSA/OPS/DGM, Rockville, MD, designating County's central e-mail address for receiving SAMHSA NoA electronically. Original to Peggy Seel/OPG.

Contract – BCC signed between County and VECO to connect PHC phone/data/fire/security/energy controls with Creamery Building. Amount/\$28,400 Term/September 29-October 17, 2009. Two originals to Larry Farnes/Facilities Maintenance.

Lease Contract – BC signed. Between County and MT DOT Aeronautics Division to move University Mt. Site camera to Beacon Tower, in order to see whole building. Amount/\$1.00 per year. Two originals to Larry Farnes/Facilities Maintenance.

[Note: Following three items signed after Public Meeting September 30, 2009. Originals sent to State for processing/were not recorded. Additional original signed October 13, 2009/sent to Clerk & Recorder.]

Resolution No. 2009-123 - BCC signed, dated September 30, 2009. Designating Missoula County as a Recovery Zone for Purposes of the American Recovery/Reinvestment Act of 2009.

Resolution No. 2009-124 - BCC signed, dated September 30, 2009. Reallocating Recovery Zone Economic Development Bond Volume Cap and Recovery Zone Facility Volume Cap to City of Missoula Under American Recovery/Reinvestment Act of 2009.

County Bonding Authority Waiver/Reallocation Form - BCC signed, dated September 30, 2009. Pertaining to Allocation of Recovery Zone Economic Development and Zone Facility Bonds.

Additional discussion item(s): Big Flat Road.

<b>WEDNESDAY, OCTOBER 14, 2009</b>
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BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Agreements – BCC signed, dated October 14, 2009. Between County and following for CBO FY 2010 (July 1, 2009-June 30, 2010) funding from County Poor Fund:

1. Missoula Food Bank (provision of food); amount/\$37,500;
2. Youth Homes, Inc. (assist youngsters/reach stability & closeness goals); amount/\$45,000;
3. YWCA of Missoula County (crisis hot line/walk-in counseling/support services); amount/\$35,000; and
4. Watson Children's Center (improve education/health/emotional support); amount/\$19,440.

Memorandum of Agreement – BC signed, dated June 15, 2009 between County Parks Board and Swan Valley American Legion Post #63 for assistance with park development (erect fence around ballfield/install gate). Up to \$2,000 matching funds provided from Spring FY09 Capital Matching Fund Program; must be spent by May 31, 2011. Original to Lisa Moisey/County Parks for further signatures/ handling.

Additional discussion item(s):

- 1) Family/Medical Leave for CAO;
- 2) Holiday Schedule for Public Meetings: cancel November 25<sup>th</sup> and December 23<sup>rd</sup> (tentative on canceling December 23<sup>rd</sup> and 30<sup>th</sup>);
- 3) JC will attend October 21<sup>st</sup> Chamber of Commerce Ad Hoc Board Meeting;
- 4) Update on recent Board/Commission meetings attended; and
- 5) Fair cash handling procedures.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated October 15, 2009:

- 1) Denying request from Michael/Janie Haight, Missoula, to refund penalty/interest for Taxpayer ID #6001859.
- 2) Approving request from Michael Sauerbier, Missoula, to refund assignment fees/interest accrued from date of 2-week notice dated July 29, 2009 for Taxpayer ID #3184001.
- 3) Approving request from Mikhail Bobko, Missoula, to refund for Taxpayer ID #90429749.
- 4) Denying request from Lisa Haugen, Missoula, for refund of motor vehicle taxes paid in error for Title #G992140. Request is not timely.
- 5) Approving request from Leslie Righetti, Reno, NV, to waive penalty/interest for Taxpayer ID #1570004.
- 6) Denying request from Bennett Law Office, Missoula, for refund of motor vehicle taxes paid in error for Vin #1FMDU73KX3ZB06916.
- 7) Denying request from Bryan Ferriter, Missoula, for refund of motor vehicle taxes paid for Vin #1FTCR1OAGNTAG7502.
- 8) Approving request from Richard/Susan Bache, Lolo, to refund for Taxpayer ID #5803639; parcel incorrectly assessed.
- 9) Approving request from Amber Ramirez, Missoula, for refund of motor vehicle taxes paid in error for Title #G147282.
- 10) Denying request from Candace Mayhew, Missoula, to refund penalty/interest for Taxpayer ID #54609.

**PUBLIC MEETING – OCTOBER 14, 2009**

**1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning and Grants Senior Planner Mary McCrea, Office of Planning & Grants Planner Rebecca Ciccone, Office of Planning and Grants Planner Janet Rhoades, and Office of Planning & Grants Planner Mitch Doherty.

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENT**

4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

c. **Weekly Claims List**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,041,722.88. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

d. **Public Announcements**

5. **HEARING (Planning & Zoning Commission)**

a. **Request to Amend Part I Zoning Districts Nos. 4, 10, 12A, 32 & 36 to Permit Home Occupations**

Chair Bill Carey opened the hearing.

Chair Bill Carey recessed the Board of County Commissioners meeting and opened the Planning and Zoning Commission meeting.

Planning and Zoning Commission Members Present: Commissioner Jean Curtiss, Chair Bill Carey, Commissioner Michele Landquist, Greg Robertson, Vickie Zeier, and Sylvia Weisenberger.

Absent: Laura Howe

Staff comment, James McCubbin

Introductions/Attendance

Rebecca Ciccone presented the staff report.

Questions from Commission

Public Comment

Jack Guyer

Commissioner Jean Curtiss and Jack Guyer

Kathy Thomas

Dori Brown

Executive Session

Commissioner Michele Landquist comment

Staff comment, Rebecca Ciccone

Staff comment, Janet Rhoades

Commissioner Jean Curtiss comment

Staff comment, James McCubbin

Jack Guyer

Staff comment, James McCubbin and Jack Guyer

Chair Bill Carey and Jack Guyer

Commissioner Michele Landquist

Staff comment, Rebecca Ciccone

Commissioner Michele Landquist and Commissioner Jean Curtiss

Commissioner Jean Curtiss

Staff comment, Rebecca Ciccone and Commissioner Jean Curtiss

Jack Guyer

Commissioner Jean Curtiss

Jack Guyer and Commissioner Jean Curtiss

Chair Bill Carey and Jack Guyer

Sylvia Weisenberger

Staff comment, Rebecca Ciccone

Staff comment, James McCubbin

Staff comment, Mary McCrea, Commissioner Jean Curtiss, James McCubbin, and

Sylvia Weisenberger

Staff comment, Rebecca Ciccone

Commissioner Michele Landquist

Chair Bill Carey

Staff comment, James McCubbin and Chair Bill Carey

Commissioner Michele Landquist made a motion that the Planning and Zoning Commission recommend to the Board of County Commissioners to approve the resolution shown in Attachment A in the staff report and the separate resolutions amending Part 1 Zoning Districts # 4, 10, 12A, 32, and 36 as shown in Attachment C of the staff report. Greg Robertson seconded the motion. The motion carried on a vote of 6-0.

Chair Bill Carey closed the Planning and Zoning Commission hearing and reopened the Board of County Commissioners meeting.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the recommendation of the Planning and Zoning Commission to approve the resolutions in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment  
Additional comment from Commissioner Michele Landquist and Commissioner Jean Curtiss below in Bridger Addition hearing]

## 6. CONSIDERATION

- a. Bridger Addition (5 lot subdivision on 5 acres) - located on Lamar Trail, 1/2 mile west of Hwy 93  
Chair Bill Carey opened the hearing.

Commissioner Michele Landquist and Commissioner Jean Curtiss request to staff for the  
Request to Amend Part I Zoning Districts hearing

Mitch Doherty presented the staff report. (PowerPoint)

Questions from Commission

Developer's representative presentation, Nick Kaufman and Jeff Smith

Questions from Commission

Commissioner Jean Curtiss comment

Staff comment, Greg Robertson and Commissioner Jean Curtiss  
Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners deny the variance request from Article 3.2.3(3) requiring installation of pedestrian walkways on one side of Packer Court to require installation of pedestrian walkways on one side of Packer Court based on the findings of fact and subject to the recommended condition of approval in the staff report. Commissioner Michele Landquist seconded the motion. Staff comment, James McCubbin, public comment. The motion carried on a vote of 3-0.

Janet Rhoades, Commissioner Jean Curtiss, Mitch Doherty, and Greg Robertson

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Conditions #8 and 9 by striking the word "paved" in front of pedestrian walkways, to read, "8. Plans for and installation of a 5'-wide pedestrian walkway within a minimum 10'-wide non-motorized access easement and separated from the roadway by a minimum 7'-wide boulevard/drainage swale on the south side of Lamar Trail adjacent to the subdivision shall be reviewed and approved by County Public Works prior to final plat approval." And, "9. Plans for and installation of a 5'-wide pedestrian walkway within the 45'-wide private access easement and separated from the roadway by a minimum 7'-wide boulevard/drainage swale along one side of Packer Court shall be reviewed and approved by County Public Works prior to final plat approval." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Bridger Addition Subdivision based on the findings of fact and subject to the recommended conditions as amended in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 7. OTHER BUSINESS

Mike Lake, Swan Valley Community Council

## 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:45 p.m.

**THURSDAY, OCTOBER 15, 2009**

BCC met in regular session; all three present. Afternoon: BCC met with Crandall Arambula re: Fairgrounds Use/Planning. Evening: BCC held Public Meeting with Crandall Arambula re: Fair Planning.

## ADMINISTRATIVE MEETING

Road Inventory Forms – BCC signed. Three (3) forms accepting maintenance for 1) Unbridled Way – Equestrian Estates Subdivision(#2009-02); 2) Riverrock Way (#2009-05) - Water's Edge/Phase 1 Subdivision; and 3) Waterside Drive (#2009-04) – Water's Edge/Phase 1 Subdivision. Original to Greg Robertson/Public Works.

Resolution No. 2009-129 – BCC signed, dated October 15, 2009. Relating to Limited Tax General Obligation Bonds (Larchmont Golf Course Improvement Project) in Approximate Aggregate Amount not to exceed \$1,150,000; Calling a Public Hearing Thereon; Authorizing Sale of the Bonds; and Establishing Compliance with the Reimbursement Regulations under the Internal Revenue Code. Four originals to Dorsey, Whitney.

Additional discussion item(s): 1) Community Council Handbook; 2) Procedure for Petitions for Roads; 3) Encroachment Permit Process.

## FRIDAY, OCTOBER 16, 2009

BCC met in regular session; quorum present. JC in Polson most of day attending Mental Health Board/ CDC Meeting.

Notice of Public Hearing – Signed by Debbe Merseal, Chief Deputy (for Vickie Zeier), sent to Independent for publication. Re: Issuing Bonds for Larchmont Golf Course Irrigation Improvements. Hearing to be held November 4, 2009 at 1:30 pm in County Courthouse Annex.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, OCTOBER 19, 2009

BCC met in regular session; all three present.

Site Visit: ML participated in site visit to Seeley Lake.

Planning Status Meeting – BCC/OPG Staff. Agenda (*action items*): 1) Public Comment; 2) Larsen Subdivision for Lease/Rent Plan Adjustment-fee waiver request; 3) Houle Meadows Subdivision Covenant Amendment- fee waiver request; 4) Larivee Addition Subdivision Covenant Amendment-fee waiver request; 5) Stenerson Subdivision Condition Amendment- fee waiver request ; 6) Running W Subdivision Phasing Plan/Condition Amendments; 7) Long Addition Subdivision (*info only*); and 8) OPG Director's Update.

Letter - BCC signed, dated November 6, 2009 to David/Judy Larsen, denying request to waive fee for Plan Adjustment for Larsen Subdivision for Lease/Rent.

Letter - BCC signed, dated October 23, 2009 to Robert/Justin Johnson, denying request to waive fee for covenant amendment for Larivee Addition Subdivision.

Letter - BCC signed, dated October 23, 2009 to Steve/Betty Bidlake & Warren Sheppard, denying request to waive fee for covenant amendment for Houle Meadows Subdivision.

Letter - BCC signed, dated November 6, 2009 to Stenbro, LLC, approving request to waive \$600 condition amendment fee for fire-related condition amendments for Stenerson Subdivision.

## TUESDAY, OCTOBER 20, 2009

BCC met in regular session; all three present.

Certificate of Survey (COS) only – BCC signed. Owner-William J. Bouck. 21440 Highway 93 South, Florence, MT. SUID #1794504/ located in SE¼ of Section 35, T 11 N, R 20 W. Tract 1 = 19.15 acres; Tract 2 = 6.85 acres.

Indemnity Bond –Chair BC signed. Karen Thompson, Missoula, Principal for Fair Warrant #30139215, issued August 7, 2009 on County 2160 Fund. Amount/\$100 (for culinary volunteer work). Warrant cannot be found.

Indemnity Bond –Chair BC signed. Jean Kuntz, Lolo, Principal for Detention Center Warrant #30141559, issued September 28, 2009 on County 2301 Fund. Amount/\$85 (for travel settlement). Warrant cannot be found.

ADMINISTRATIVE MEETING

Hearing – BCC approved request to hold public hearing/adopt resolution on October 20, 2009 to ratify changes to Missoula City-County Air Pollution Control Program (as adopted September 17, 2009). Original to Shannon/Mamie at Health Dept.

Contract – BCC signed MOA between City-County Health Department and DeSmet School District for Public Health Nurse services for 2009/2010 School Year. Amount/\$8,929. Two originals to Julie Mohr/Health Dept.

Resolution No. 2009-130 – BCC signed, dated October 20, 2009. Abandoning portions of unnamed GLO roads located within Sections 34 & 27, T 15 N, R 21 W, PMM, Missoula County. Hearing held July 22, 2009.

Additional discussion item(s): None

## WEDNESDAY, OCTOBER 21, 2009

BCC met in regular session; all three present.

CHIEF ADMINISTRATIVE OFFICER MEETING

Memorandums – BCC discussed/approved/signed two memos, dated October 21, 2009 re: Grievance of County employee, to Tom Gigstad, MEA-MFT Field Consultant, responding to allegations County 1) violated



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8/24/09 settlement agreement and 2) violated Articles 7, 10, 15 & 23. Grievance denied on both counts. Original to Steve Johnson/HR.

Memorandum – BCC discussed/approved/signed memo, dated October 21, 2009 re: Grievance of County employee, to Tom Gigstad, MEA-MFT Field Consultant, accepting employee's remedy to resolve grievance (and grievance dated 8/1/09). Original to Steve Johnson/HR.

Memorandum – BCC discussed/approved/signed memo, dated October 21, 2009 re: Grievance of County employee, to Tom Gigstad, MEA-MFT Field Consultant, denying grievance. Pertinent employee has been placed in an alternate position. Original to Steve Johnson/HR.

Agreements – BCC signed, dated October 21, 2009. Between County and following for CBO FY 2010 (July 1, 2009-June 30, 2010) funding from County Poor Fund:

1. CASA of Missoula (service to abused/neglected children); amount/\$12,000;
2. Child & Family Resource Council/The Parenting Place; amount/\$14,350;
3. Missoula Aging Services (delivery of meals); amount/\$20,000; and
4. Opportunity Resources, Inc. (Sunday transportation); amount/\$9,766.

Contract – BCC signed, dated October 14, 2009. Between County and Dana Boylan, LCSW, for services at PHC. Amount/\$47,840 yearly. Term/October 19, 2009-June 30, 2011. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated October 15, 2009. Between County and Stacye Johnson, FNP-C, for services at PHC. Amount/\$70,000 yearly. Term/October 19, 2009-June 30, 2011. Three originals to PHC for further signatures/handling.

Additional discussion item(s): BCC need more time to review letter to Mayor Engen re: Utility Accommodation for 3<sup>rd</sup> Street.

#### **PUBLIC MEETING – OCTOBER 21, 2009**

##### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning & Grants Planner Tim Worley, Assistant Chief Deputy Clerk & Recorder Kim Cox, Public Works Survey Technician Steve Smith, County Parks Coordinator Lisa Moisey, and Office of Planning and Grants Planner John Newman.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **e. Weekly Claims List - \$3,075,418.13**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$3,075,418.13. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### **f. Public Announcements**

##### **5. PROCLAMATION**

###### **a. Red Ribbon Celebration Week**

Chair Bill Carey introduced the proclamation.  
Commissioner Jean Curtiss read the proclamation.

##### **6. HEARINGS**

###### **a. Petition to Abandon a Portion of County Road (6th Street & Alley) - E. Clinton**

Chair Bill Carey opened the hearing.

Kim Cox verified the petition.

Steve Smith presented the staff report.

Questions from Commission

Public Comment

Beverly Gendrow

Commissioner Jean Curtiss, process

Chair Bill Carey read public comment letter from Wendell Barnes

Staff comment Lisa Moisey

Paul Forsting, representative from petitioner

Public Comment

David Pledge

Commissioner Jean Curtiss

Staff comment, James McCubbin  
 Executive Session  
 Hearing recessed until October 28

b. Long Addition #2 (17 Commercial/Light Industrial lots on 35.78 acres) - Wye area

Chair Bill Carey opened the hearing.

John Newman presented the staff report. (PowerPoint)

Questions from Commission

Developer's representative presentation, Nick Kaufman (proposed changes)

Questions from Commission

Staff comment, John Newman, condition of approval language

Staff comment, James McCubbin, revised Condition of Approval #4

Nick Kaufman and James McCubbin

Staff comment, John Newman, James McCubbin, and Nick Kaufman

Staff comment, Tim Worley and Commissioner Michele Landquist

Nick Kaufman

Commissioner Jean Curtiss and Nick Kaufman

Commissioner Michele Landquist

Jeff Smith

Public Comment

Executive Session

Commissioner Jean Curtiss

John Newman, language revision

Staff comment, Greg Robertson

Discussion

Nick Kaufman

Greg Robertson and Nick Kaufman

Staff comment, John Newman

Staff comment, Greg Robertson

Jeff Smith

Tim Worley, language revision

Commissioner Jean Curtiss and Tim Worley

Staff comment, James McCubbin

Chair Bill Carey and Nick Kaufman

Commissioner Michele Landquist, Jeff Smith, and Commissioner Jean Curtiss

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition of Approval #3 to read, "The proposed subdivision shall complete the Montana Department of Transportation (MDT) guidelines for a Systems Impact Action Review Process (SIAP) for both access points onto Highway 10 West, including a traffic impact study, and shall comply with all regulations and MDT-required mitigation, subject to review and approval by MDT and County Public Works prior to final plat approval. The results of the SIAP shall govern the location of the no-access strip along the subdivision frontage with Highway 10 West subject to review and approval by OPG prior to final plat approval." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition of Approval #4 to read, "Plans for and installation of a paved park-and-ride area on Lot 17 that can accommodate up to six vehicles in a location adjacent to Highway 10 West shall be reviewed and approved by Mountain Line and MDT prior to issuance of a building permit and included in the development covenants section on building permits." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment, Condition of Approval #10

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition of Approval #10 to read, "Plans for and installation of a 10 foot-wide paved shared-use path separated from the roadway by a minimum 10 foot-wide boulevard/swale along the south side of US Highway 10 adjacent to the subdivision, in compliance with American Association of State Highway and Transportation Officials (AASHTO) standards and in conjunction with the required Systems Impact Action Review Process (SIAP), shall be reviewed and approved by County Public Works, the Montana Department of Transportation (MDT), and OPG prior to final plat approval." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the variance request from Article 3.2.3(3), requiring a pedestrian walkway along US Highway 10 adjacent to the subdivision based on the findings of fact in the staff report and subject to the amended conditions of approval. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the variance request from Article 3.2.3(6), requiring a bicycle lane be provided on US Highway 10 adjacent to the subdivision, which is functionally classified as a collector street based on the findings of fact in the staff report and subject to the amended condition of approval. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

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Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Long Addition No. 2 Subdivision based on the findings of fact and subject to the recommended conditions of approval as amended. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

- c. Proposal to Amend Phasing Plan and Selected Conditions of Approval for Running W Ranch Subdivision - Wye area, east of Hwy 93  
Chair Bill Carey opened the hearing.  
Tim Worley presented the staff report. (PowerPoint)  
Questions from Commission  
Public Comment  
Executive Session  
Commissioner Michele Landquist comment  
Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the Running W Ranch Subdivision phasing plan amendments and condition amendments as shown in Attachments B (Master Set of Conditions of Approval, October 21, 2009) and D (Proposed Amendments to Phasing Plan). Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

#### 7. HEARING (continued from September 30, 2009)

- a. Pine Drive Parking Restrictions - Seeley Lake  
Chair Bill Carey opened the hearing.  
Greg Robertson presented the request from John Richards to recess this item for two weeks. (revised resolution, original staff report from September 30)  
Questions from Commission  
Greg Robertson, staff recommendation  
Commissioner Michele Landquist comment  
Commissioner Jean Curtiss comment  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners recess this hearing for two weeks, until November 4, 2009. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

#### 8. OTHER BUSINESS

#### 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:58 p.m.

### THURSDAY, OCTOBER 22, 2009

BCC met in regular session; all three present.

#### Site Visit:

Afternoon: JC accompanied Greg Robertson and Lisa Moisey for site visit to East Clinton.

#### ADMINISTRATIVE MEETING

Contract – BCC signed, dated October 22, 2009. Between County and City of Missoula Parks/Recreation for maintenance/management/programming at Fort Missoula for FY 2010. Amount/\$72,530. Two originals to Lisa Moisey/County Parks for further signatures/handling.

Lease Agreement – BCC signed, dated October 22, 2009. Between County and Mount Jumbo West Little League for 10-year lease extension for ballfield on land in Missoula Development Park Subdivision (Lot 1/Block 3 and Park 2/Block 3). Amount/\$1.00. Two originals to Lisa Moisey/County Parks for further signatures/handling.

Agreements – BCC signed, dated October 22, 2009. Between County and following for CBO FY 2010 (July 1, 2009-June 30, 2010) funding from County Poor Fund:

1. Mountain Home Montana (meal provision/supervision/parent education classes); amount/ \$22,175;
2. Child Care Resources (tech assistance/training to child care providers); amount/\$69,928;
3. Human Resource Council (various tasks set forth therein ); amount/\$223,202; and
4. Missoula Urban Transportation District (additional ADA paratransit service); amount/\$20,000.

Agreements – BCC signed, dated October 22, 2009. Between County and Missoula Correctional Services Inc. for following programs for term July 1, 2009-June 30, 2010:

1. Pretrial Supervision Program; amount/\$122,108.25;
2. Community Service Program; amount/\$68,400.69; and
3. Misdemeanor Supervision Program; amount/\$199,702.06;

One original returned to Missoula Correctional Services.

Resolution No. 2009-137 - BCC signed, dated October 22, 2009. Altering portion of existing petitioned road (Roman Creek Road), located in NW¼ of Section 34 and NE¼ of Section 33, T 15 N, R 21 W, PMM, Missoula County. Public Hearing held July 15, 2009.

Resolution No. 2009-131 - BCC signed, dated October 22, 2009. Amending District Development Patterns for Part 1 Zoning Districts #4, 10, 12A, 32, & 36, to permit Home Occupations as Customary Use and Special Exception, subject to Standards.

Resolution No. 2009-132 - BCC signed, dated October 22, 2009. Amending District Development Pattern for Part 1 Zoning Districts #4, to permit Home Occupations as Customary Use and Special Exception, subject to Standards in Resolution #2009-131.

Resolution No. 2009-133 - BCC signed, dated October 22, 2009. Amending District Development Pattern for Part 1 Zoning Districts #10, to permit Home Occupations as Customary Use and Special Exception, subject to Standards in Resolution #2009-131.

Resolution No. 2009-134 - BCC signed, dated October 22, 2009. Amending District Development Pattern for Part 1 Zoning Districts #12A, to permit Home Occupations as Customary Use and Special Exception, subject to Standards in Resolution #2009-131.

Resolution No. 2009-135 - BCC signed, dated October 22, 2009. Amending District Development Pattern for Part 1 Zoning Districts #32, to permit Home Occupations as Customary Use and Special Exception, subject to Standards in Resolution #2009-131.

Resolution No. 2009-136 - BCC signed, dated October 22, 2009. Amending District Development Pattern for Part 1 Zoning Districts #36, to permit Home Occupations as Customary Use and Special Exception, subject to Standards in Resolution #2009-131.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated October 21, 2009. Amount: \$74,787.57. Document to County Auditor.

Additional discussion item(s): None.

**FRIDAY, OCTOBER 23, 2009**

BCC did not meet in regular session; BCC attended Economic Blueprint Facilitation at Quinn Hot Springs.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, OCTOBER 26, 2009**

BCC met in regular session; all three present. Noon: JC attended Leadership MT Alumni Lunch, held at Iron Horse Restaurant. Evening: BCC held Joint Public Hearing with City Council re: Spooner Creek Open Space Project.

Replacement Warrant - BC signed. Estate of Darwin Hamilton, Polson, Principal for Treasurer Warrant #30142048, issued October 2, 2009 on County 7150 Fund. Amount/\$5,618.24 (Assignment Fee Refund). Warrant not received in mail; no bond of indemnity required.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) East Missoula Block 44 Subdivision Improvements Guarantee Extension Request (*action*); 3) Target Range Neighborhood Plan Update; and 4) OPG Director's Update.

Subdivision Extension - BCC approved/signed a revised Subdivision Improvements Agreement/Guarantee for Delbert Erickson/East Missoula Addition Block 44 Subdivision, extending expiration date to September 22, 2010. Improvements remaining are construction of Iowa Avenue and other misc. improvements; approx. cost/\$178,575. Guaranteed by Irrevocable Letter of Credit/Whitefish Credit Union, for \$104,168.75, dated October 6, 2010.

**TUESDAY, OCTOBER 27, 2009**

BCC met in regular session; all three present. Evening: BCC attended Target Range Homeowners Association Meeting, held at Target Range School.

**ADMINISTRATIVE MEETING**

County Payroll Transmittal Sheet - BCC signed. Pay Period: 22/CY2009 - Pay Date/October 23, 2009. Total Payroll/\$1,183,865.22. Document to County Auditor.

Contract - BCC signed, dated October 1, 2009. Between County and Lewis & Clark City-County Health Department for Ryan White Part C Early Intervention Services. Amount/\$11,000. Term/April 1, 2009-March 31, 2010. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated October 1, 2009. Between County and Flathead City-County Health Department for Ryan White Part C Early Intervention Services. Amount/\$22,000. Term/April 1, 2009-March 31, 2010. Three originals to PHC for further signatures/handling.

Agreement – BCC signed, dated October 27, 2009. Between County and Professional Engineering Services for Spring Meadows Addition Sewer System PER. Amount/\$30,045 (County received \$15,000 TSEP Grant). Estimated deadline/January 2010. Four originals to Amy Rose/Public Works for further handling.

Request – BCC authorized Roger Millar to sign \$29,800 contract with UofM Bureau of Business & Economic Research for county-wide housing Market survey. Original to Mike Barton/OPG for further signatures/handling.

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated October 27, 2009. Amount: \$1,350.39. Document to County Auditor.

Additional discussion item(s): Interest in attending UofM Summit re: Education/Economic Growth/Quality of Life on November 12<sup>th</sup>.

### WEDNESDAY, OCTOBER 28, 2009

BCC met in regular session; all three present. Morning: BCC attended meeting with Mayor, City Council, et al re: OPG Interlocal, held in City Council Chambers.

#### COMBINED BCC/CHIEF ADMINISTRATIVE OFFICER/COUNTY ATTORNEY MEETING

Agreements – BCC signed, dated October 22, 2009. Between County and following for CBO FY 2010 (July 1, 2009-June 30, 2010) funding:

1. Friends to Youth (counseling & support services); amount/\$14,250;
2. Seeley Lake Community Council (yearly budget); amount/\$1,000; and
3. Seeley Lake Community Council (yearly budget); amount/\$1,000.

Budget Amendments - BCC signed, dated October 28, 2009. Various for PHC:

1. Resolution No. 2009-138 - \$333,362 (Misc. Expenditures/Revenue);
2. Resolution No. 2009-139 - \$72,936 (Ryan White Health Info Technology Grant);
3. Resolution No. 2009-140 - \$139,315 (Ryan White Health Info Technology Grant/Community Health Center/ Title III);
4. Resolution No. 2009-141 - \$224,765 (Behavioral Health Expansion Grant);
5. Resolution No. 2009-142 - \$435,064 (IDS Grant);
6. Resolution No. 2009-143 - \$52,940 (Healthcare for the Homeless Grant); and
7. Resolution No. 2009-144 - \$123,571 (Behavioral Health Expansion Grant).

For total disclosure, expenditures should be included in formal FY2010 Operating Budget/Revenue Estimates for County.

Additional discussion item(s): None.

#### PUBLIC MEETING – OCTOBER 28, 2009

##### 1. **CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, County Parks Coordinator Lisa Moisey, and Survey Technician Steve Smith.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### g. Weekly Claims List (\$403,831.22)

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$403,831.22. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### h. Public Announcements

5. DECISION (From October 21, 2009 Hearing)

- a. Petition to Abandon a Portion of a County Road: 6th Street & Alley, located in East Clinton  
 Chair Bill Carey opened the hearing.  
 Greg Robertson presented the viewer's report. (Original staff report from October 21, 2009)  
 Commissioner Jean Curtiss comment  
 Public Comment  
     Charles Drinndle  
     Commissioner Jean Curtiss  
     Charles Drinndle  
 Commissioner Jean Curtiss  
 Commissioner Michele Landquist  
     Staff comment, Lisa Moisey  
 Staff comment, James McCubbin, recommendation to approve contingent upon receiving consent from landowner(s)  
 Commissioner Jean Curtiss and Dave Pledge  
     Staff comment, James McCubbin  
     Staff comment, Steve Smith and James McCubbin  
 Commissioner Jean Curtiss and Steve Smith  
     Dave Pledge and Commissioner Jean Curtiss  
 Commissioner Michele Landquist  
 Commissioner Jean Curtiss and Dave Pledge  
 Staff comment, James McCubbin and Commissioner Jean Curtiss  
 Dave Pledge  
     Commissioner Jean Curtiss and Dave Pledge  
 Executive Session  
     Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the viewer's report with the contingency that the petitioner, Mr. Pledge, provide a signed letter from the owners of COS 4773, Tract 1, which appears to be on the alley right-of-way and face Seventh Street. Staff comment, James McCubbin. Motion died for lack of a second.  
     Commissioner Jean Curtiss  
     Commissioner Michele Landquist  
     Staff comment, Greg Robertson  
     Discussion  
     Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the viewers report, which does talk about the fact that there is equal access from Fifth Street and that the petition be granted contingent upon proof of agreement with the abandonment by the owners of COS 4773, Tract 1, with that information provided to our Surveyor's Office by the petitioner. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

## 6. OTHER BUSINESS

## 7. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:00 p.m.

## THURSDAY, OCTOBER 29, 2009

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Lease Agreement – BCC approved/signed renewal lease agreement, dated July 1, 2009 between County and Bakke Kensington Partnership, LLP for Extension/Weed District offices at 2825 Santa Fe Court. Yearly rent/\$97,470 (with increases over time). Three originals to Jerry Marks/Weed Dist. for further signatures/handling.

Budget Agreement – BCC signed. Annual agreement between County and MT State University Extension Service. Amount/\$545,156. Originals to Jerry Marks/Weed Dist. for further signatures/handling.

Agreement – BCC signed, dated October 21, 2009. Between County and UofM Curry Health Center for Substance Abuse Prevention Grant Funds. Amount/\$4,343 (County received \$50,000; \$45,657 is for Forum for Children/Youth). Term/October 1, 2009-September 30, 2010. One original to Peggy Seel/OPG.

Agreement – BCC signed October 29, 2009. Between County and Missoula Indian Center for CBO funding for substance abuse prevention/intervention/treatment services. Amount/\$10,223. Term/July 1, 2009-June 30, 2010. One original to Peggy Seel/OPG.

Resolution No. 2009-145 – BC signed, dated October 29, 2009. Establishing criteria for approval of projects for financing as Recovery Zone Facility Bonds. Four originals to Dorsey/Whitney.


Additional discussion item(s): 1) ML will draft response to Mr. Curdy's e-mail re: Big Flat Road reconstruction [letter signed 11/9/09]; 2) BCC will attend December 7-8, 2009 Regional Economic Development Meeting.

FRIDAY, OCTOBER 30, 2009

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BCC met in regular session; all three present.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: NOVEMBER, 2009

**BCC = BOARD OF COUNTY COMMISSIONERS****BC = Commissioner Bill Carey, Chair****JC = Commissioner Jean Curtiss****ML = Commissioner Michele Landquist**

The following Claims Lists were signed during the month of NOVEMBER 2009:

Date Signed	Claims List Date	Who signed	Amount
November 2, 2009	November 2, 2009	BCC	\$81,331.62
			\$2,976.84
November 3, 2009	November 2, 2009	BCC	\$41.07
			\$1,267.71
November 3, 2009	November 3, 2009	BC, ML	\$41,878.52
			\$34,222.69
November 4, 2009	November 4, 2009	BC, JC	\$17,939.54
November 5, 2009	November 5, 2009	BCC	\$9,809.12
			\$6,361.30
			\$1,606.46
			\$47,416.49
			\$213,224.84
			\$111.28
			\$3,217.60
November 6, 2009	November 5, 2009	BCC	\$69,304.06
			\$23,112.84
November 9, 2009	November 9, 2009	JC, ML	\$89,914.21
			\$22,314.97
			\$1,178,575.60
November 12, 2009	November 10, 2009	BCC	\$212,209.72
			\$22,147.69
November 13, 2009	November 12, 2009	BCC	\$140,870.16
November 13, 2009	November 12, 2009	BC, JC	\$5,835.97
November 16, 2009	November 16, 2009	ML, BC	\$49,098.09
			\$29,346.86
			\$45,192.54
			\$24,454.90
			\$7,801.30
November 17, 2009	November 17, 2009	ML, BC	\$3,203.63
			\$57,692.58
			\$4,583.00
November 18, 2009	November 18, 2009	BCC	\$69,961.83
November 18, 2009	November 18, 2009	JC, ML	\$4,868.92
			\$7,285.11
			\$47,451.56
			\$8,080.79
November 19, 2009	November 19, 2009	BCC	\$88,483.60
			\$200,000.00
			\$11,108.15
November 20, 2009	November 19, 2009	BC, ML	\$466,760.19
November 23, 2009	November 20, 2009	BCC	\$151,966.70
November 24, 2009	November 24, 2009	BCC	\$16,561.50
			\$9,432.16
November 25, 2009	November 25, 2009	JC, ML	\$34,334.87
November 30, 2009	November 25, 2009	JC, BC	\$125,481.88
			\$568.83
			\$16,101.01
			\$53,085.71
November 30, 2009	November 27, 2009	JC, BC	\$52,537.97
November 30, 2009	November 30, 2009	JC, BC	\$22,146.02

All Claims Lists were returned to the Accounting Department.



**MONDAY, NOVEMBER 2, 2009**

**BOOK 010 PAGE 0069**

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. CANCELED.

Notice of Hearing – BC signed, dated November 2, 2009. To Ratify Changes to the Air Pollution Control Program. Hearing set for November 18, 2009 at 1:30 pm in County Courthouse Annex.

County Transportation Ballot – BCC voted/BC signed, dated November 2, 2009 for:

- 1) Lolo School: FOR revision of following special education routes: Routes 1A, 2A, 3A and 4C.
- 2) Frenchtown School: FOR revision of following routes: Routes 4A, 7A, 13 and SE17.

Original back to Superintendent of Schools.

Oath of Office – BC swore in Kathy Armstrong, Acting Justice of the Peace, Department 2.

**TUESDAY, NOVEMBER 3, 2009**

BCC met in regular session; all three present.

Indemnity Bond - BC signed. Dwayne McCombs, Nashville, TN, Principal for Fair Warrant #30138474, issued July 27, 2009 on County 2160 Fund. Amount/\$1,952 (for airfare, commercials for Fair). Warrant lost.

#### ADMINISTRATIVE MEETING

Resolutions – BCC signed following Resolutions, dated November 3, 2009 Canceling 2009 November Special District Director Elections and Electing Members by Acclamation:

- |          |  |
|----------|--|
| 2009-147 | Canceling Canyon River County Sewer & Water District Election  |
| 2009-148 | Canceling East Frenchtown County Water District Election   |
| 2009-149 | Canceling East Missoula County Sewer District Election   |
| 2009-150 | Canceling Elk Meadows Ranchettes County Water District Election  |
| 2009-151 | Canceling Goodan Keil County Water District Election   |
| 2009-152 | Canceling Liberty Cove County Sewer & Water District Election  |
| 2009-153 | Canceling Lorraine South County Water District Election  |
| 2009-154 | Electing by Acclamation Nominees Charles Hahn and Walt Hill as Directors and Canceling Seeley Lake County Water District Election                              |
| 2009-155 | Electing by Acclamation Nominees Benjamin Croft, Clifford A. Graham and Todd Whitman as Directors and Canceling Shelby Addition County Water District Election |
| 2009-156 | Canceling Spring Meadows County Water District   |
| 2009-157 | Electing by Acclamation Nominees Michael Lilley and Cynthia L. Winchell as Directors and Canceling Sunny Meadows County Sewer & Water District Election        |
| 2009-158 | Canceling Target Range County Sewer & Water District Election  |
| 2009-159 | Electing by Acclamation Nominees Norman Carey and Larry Tarver as Directors and Canceling Turah Meadows County Sewer & Water District Election                 |

Request – BCC extended eligibility to use donated sick leave from 240 hours to a max of 343 hours for Employee Pat Smithers. Original to Jim Carlson/Health Dept.

Contract Addendum #1 – BCC signed, dated November 3, 2009. Extends contract between County and Home Health of MT Private Services/It Starts With Me Employee Health Promotion (March 2007). Addendum 1) extends contract through June 30, 2010; and 2) authorizes Risk Manager to be contact for County (replaces Steve Johnson). Fiscal Impact: \$3,000 annual increase (Wellness Fund). Original to Hal Luttschwager/Risk & Benefits.

Equitable Sharing Agreement/Certification – BC signed. Annual Federal mandated report. Enables Sheriff's and County Attorney's Office to share forfeiture funds. Original to Willis Hintz/Sheriff's Dept. for further signatures/handling.

Reports – BC signed 2009 Applicant/Recipient Disclosure/Update Reports for Continuum of Care Projects: 1) Western MT Mental Health Center SHARE House; 2) YWCA's Ada's Place; and 3) YWCA's Gateway Center. Originals to Melissa Gordon/OPG.

Resolution No. 2009-146 – BCC signed, dated November 3, 2009. Parks Budget Amendment totaling \$19,500 to ensure allocations for six (6) approved FY09 Spring Matching Grants for FY10. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Agreement – BC signed. Between County and WGM to evaluate/design sidewalks for County Warehouse. Original to Larry Farnes/Facilities Maintenance.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated November 2, 2009. Amount/\$26,223.84. Document to County Auditor.

Additional discussion item(s): 1) BC will attend 11/17/09 Miller Creek Projects Public Info Meeting; 2) JC/ML will attend presentation 11/13/09 by David Wicks on Biological Control for Mountain Pine Beetles.

WEDNESDAY, NOVEMBER 4, 2009

BCC met in regular session; all three present.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending October 31, 2009.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending October 31, 2009.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Contract - BCC signed, dated November 4, 2009. Between County and ThirdWave Corporation for Document Management/Imaging Business Requirements Analysis Project. Amount/\$80,000. Term/November 18, 2009-April 6, 2010. One original to Anne Hughes/BCC Office.

Letter - BCC signed, dated November 5, 2009. To MT Congressional Delegation (Baucus, Tester, Rehberg) on behalf of Missoula in Motion's support of HR 3271/"Green Routes to Work". Bill provides incentives/tax credits aimed at leveraging private sector participation & investment in employees' commutes. Originals to Alex Stokman/MIM for further handling.

Additional discussion item(s): None.

#### PUBLIC MEETING - NOVEMBER 4, 2009

##### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey, and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Assistant Public Works Director Tim Elsea, and Chief Financial Officer Andrew Czorny.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **a. Weekly Claims List - \$481,077.73**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$481,077.73. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### **b. Public Announcements**

##### **5. HEARING**

###### **a. Proposal to Issue Limited Tax General Obligation Bonds to Finance Larchmont Golf Course Irrigation System Replacement**

Chair Bill Carey opened the hearing.

Andrew Czorny presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution relating to limited tax general obligation bonds for the Larchmont Golf Course improvement project of the County in an approximate aggregate amount not to exceed \$1,150,000. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

##### **6. HEARING (continued from October 21, 2009)**

###### **a. Pine Drive Parking Restrictions (Seeley Lake)**

Chair Bill Carey opened the hearing.

Tim Elsea requested to continue to November 18. (Original staff report from September 30, 2009)

Questions from Commission

Commissioner Michele Landquist comment

Staff comment, Tim Elsea

Staff comment, James McCubbin and Tim Elsea

Discussion

Questions from Commission

Staff comment, James McCubbin and Tim Elsea

Two-hour parking zone suggestion and discussion

Continuation discussion

Public Comment

## Executive Session

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Commissioner Michele Landquist made a motion that the Board of County Commissioners give the Pine Drive Parking Restriction hearing a two-week extension. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## 7. OTHER BUSINESS

## 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:50 p.m.

Resolution No. 2009-160 – BC signed, dated November 4, 2009. Relating to \$1,150,000 Limited Tax General Obligation Bonds (Larchmont Golf Course Improvement Project); approving the Project and authorizing issuance of Bonds therefor. Four originals to Dorsey Whitney.

## THURSDAY, NOVEMBER 5, 2009

BCC met in regular session; all three present.

Monthly Report - BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending October 31, 2009.

ADMINISTRATIVE MEETING

Contract – BCC signed, dated November 5, 2009. Between County and PBS&J for revision of Pre-Disaster Mitigation Plans for Missoula/Mineral/Ravalli Counties. Amount/\$19,012.43 federal funds; approx. \$2,000 general funds. Term/December 1, 2009-June 30, 2010. Two originals to Bob Reid/ES for further signatures/handling.

Board Appointments - BCC reappointed following as members of Open Lands Citizens Advisory Committee: 1) Jim Cusker; 2) Dennis Iverson; 3) Jack Rich (alternate); 4) Dan Stone; 5) Alicia Vanderheiden (appointed to replace resigned member Hugh Sheehy); and 6) Becky Anderson (appointed to fill vacancy of Michele Landquist). All terms run through 11/30/2012.

Contract – BC signed, dated November 5, 2009. Between County (Detention Facility) and Stericycle for bio-hazard waste removal. Amount/\$117 per month/\$122 for extra stop. Term/36 months.

Change Order – BC signed. With L.S. Jensen to construct grass pave parking lot for Mount Jumbo West Little League Ballfields/MDP Park #2. Added: install sod over grass pave geotextile fabric instead of hydroseeding. Added costs/\$8,014; new contract amount/\$249,023.75.

Resolution No. 2009-161 – BCC signed, dated November 5, 2009. Amending standards of Subdistrict No. 3 of Canyon Creek Village Planned Unit Development Zoning District, described as Reserve B Missoula Airport Development Park/Parcel B/COS #5176.

Additional discussion item(s): Space needs update.

## FRIDAY, NOVEMBER 6, 2009

BCC met in regular session; all three present. Morning: BCC took tour of Garlington Lohn Robinson Building.

Replacement Warrant - BC signed. Missoula Chamber of Commerce, Missoula, Principal for Historical Museum Warrant #30140659, issued September 10, 2009 on County 2360 Fund. Amount/\$1,025(for LM27 Tuition). Warrant not received in mail; no bond of indemnity required.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, NOVEMBER 9, 2009

BCC met in regular session; quorum present. BC out of office through Thursday, November 12<sup>th</sup>. Earling morning: JC attended MT Farm Bureau Federation Convention Breakfast, held at Hilton Garden Inn.

Indemnity Bond – Acting Chair JC signed. Hannah Heimbuch, Florence, Principal for Payroll Warrant #16011349, issued May 27, 2009 on County Payroll Fund. Amount/\$188.32. Warrant lost.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Starvation Creek Acres Phasing Plan Amendment Request (*action*); and 3) OPG Director's Update.

Phasing Plan Amendment – BCC reviewed/signed letter, dated November 16, 2009 to Ken Cleaves. approving amendment to phasing plan for Starvation Creek Acres Subdivision. New plat approval expiration date/Phase II is February 28, 2015. Request due to current local economic conditions.

Resolution No. 2009-162 – Acting Chair JC signed, dated November 9, 2009. To expend \$25,000 from City's portion of 2006 Open Space Bond Proceeds for purchase of Conservation Easement for Spooner Creek Open Space Project.

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Resolution No. 2009-163 – Acting Chair JC signed, dated November 9, 2009. To expend \$175,000 of 2006 Open Space Bond Proceeds for purchase of Conservation Easement for Spooner Creek Open Space Project.

Letter - BCC signed letter, dated November 6, 2009 to Willis Curdy, Missoula, addressing his concerns re: County's handling of road improvement project/Big Flat Road [from 10/29 Admin. Meeting discussion item].

**TUESDAY, NOVEMBER 10, 2009**

BCC met in regular session; quorum present. BC out of office through Thursday, November 12<sup>th</sup>. Morning: BC/JC canvassed General Election.

Plat – ML/JC signed. Owner-Wesmont Builders-Developers, Inc. Canyon East/Phase 6, located in NW¼ of Section 6, T 13 N, R 19 W, PMM, Missoula County. Total area/13,396 feet (net).

**ADMINISTRATIVE MEETING**

Request – BCC authorized exception to Policy 403.20 to donate sick leave in excess of 40 hours for Employee Mike Kress. Original to Mike Barton/OPG.

Certification – Acting Chair JC signed 2001 Carole Graham House/2002 Human Resource Council District XI HOME Program Certification of Income & Affordability paperwork for FFY 2009. Originals to Melissa Gordon/OPG.

License Agreement – BCC signed agreement, dated November 4, 2009 between County and Southgate Mall Associates, LLP to accept donated commercial lease space/pay utilities for City-County Health Dept's H1N1 vaccination clinic. Term/November 10-30, 2009. Three originals to Julie Mohr/Health Dept.

Resolution No. 2009-164 – BCC signed, dated November 10, 2009. Sheriff/Detention Budget Amendment for \$144,771; reflecting award of JAG Recovery Act Grant. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Contract – BCC signed, dated November 10, 2009. Between County and STRATA, Inc. to provide fuel/facility inspection work in conjunction with oxyfuels program compliance (Air Pollution Control Program). Amount/\$4,650. Term/November 1, 2009-March 31, 2010. Three originals to Mamie Colburn/Health Dept. for further signatures/handling.

Letter - BCC signed, dated November 10, 2009. To Members of Restoration Trustee Council, Helena, strongly supporting Milltown/Two Rivers Recreational Facilities & Access Project and Milltown Bridge Pier & Log Removal Project, and asking approval of funding for both. Original to Peter Neilsen for delivery.

Letter - BCC signed, dated November 10, 2009. To HB 645 Historic Preservation Competitive Grant Program, MT DOC, Helena, supporting Nine Mile Community Center Board's application for grant to improve insulation/wiring/plumbing/heating of historic Stark School House (now Nine Mile Community Center). Original to Pat O'Herren.

Letter - BCC signed, dated November 10, 2009. To MT Congressional Delegation (Senators Baucus and Tester, and Congressman Rehberg), supporting Senator Dodd's Livable Communities Act of 2009 (S. 1619). Originals to Ann Cundy/OPG.

Letter - BCC signed, dated November 10, 2009. To Jim Morton, Human Resource Council, Missoula, acknowledging meeting with him on this day, and concurring with allocations made by his agency from the Emergency Grants Program for FY 2010. Original to Jim Morton.

Letter - BCC signed, dated November 10, 2009. To Jim Morton, Human Resource Council, Missoula, thanking him for providing information relative to 2010 & 2011 Community Service Block Grant Work Plan and Budget. BCC supports and commends him and HRC for their good work. Original to Jim Morton.

Resolution No. 2009-165 – BCC signed, dated November 10, 2009. Voiding the Rock Creek/Clark Fork Part One Zoning District, "Citizen-Initiated" Zoning District #45. 2009 MT Legislature amended MCA 76-2-107(2) via HB 486 to clarify BCC can void a Part 1 district when a planning and zoning commission is unable to take action.

Additional discussion item(s): None.

**WEDNESDAY, NOVEMBER 11, 2009****COURTHOUSE WAS CLOSED FOR THE VETERANS DAY HOLIDAY**

Morning: JC attended Veterans Day Ceremony, held on the Courthouse Lawn.

**THURSDAY, NOVEMBER 12, 2009**

BCC met in regular session; quorum present late afternoon. BC out of office through this date. JC attended Missoula Area Education Summit: *Developing a P-20 Education Strategy*, held at UM Phyllis Washington Education Center.

**ADMINISTRATIVE MEETING – CANCELED** (Quorum unavailable).

FRIDAY, NOVEMBER 13, 2009

BCC met in regular session; all three present in afternoon. ML out of office all morning. Morning: BC attended CFAC Workshop, held at Currents. Early afternoon: JC/ML attended meeting with David Wicks re: Biological Control of Mountain Pine Beetle, held at Fairgrounds.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

MONDAY, NOVEMBER 16, 2009

BCC met in regular session; quorum present. JC out of office all day.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Sawmill Meadows Subdivision Plat Adjustment Request (*action*); 3) 4990 Buckhouse Lane/Peak Fitness Variance Request; 4) FEMA Levee-Like Structures; and 5) OPG Director's Update.

Phasing Plan Amendment – BCC reviewed/signed letter, dated November 23, 2009 to Peter Stark/Amy Ragsdale, approving amendments to development covenants of Sawmill Meadows Subdivision: 1) amended to correct use/access for Tracts 4B & 5B of COS 6177 (formerly COS 3464 Tracts 4 & 5).

County Payroll Transmittal Sheet – BCC signed. Pay Period: 23/CY2009 - Pay Date/November 6, 2009. Total Payroll/\$1,176,353.15. Document to County Auditor.

TUESDAY, NOVEMBER 17, 2009

BCC met in regular session; all three present.

#### ADMINISTRATIVE MEETING

Request – BCC approved Annual Larchmont Golf Course and Caddy Shack 2010 Budget. Original to Gay Rushmer/Larchmont.

Request – BCC approved 2009 Missoula County Community Council Handbook. BCC also signed Forward to the Handbook to be included in final version. Original to Addi Jadin/RI.

Request – BCC approved/signed Strategic Plan for HB 130 Submission for State Matching Fund Grants for Crisis Intervention/Jail Diversion. Covers remainder of FY10. Letter of intent signed August 27, 2009. Original to Kim Campbell/OPG.

Change Order #1 – BC signed. With Adler Architects for installation of cedar split rail fence at LaLonde Ranch site. Fence to be modified for more stability. Added costs/\$2,050; new contract amount/\$6,950. Two originals to Barb Martens/Projects.

Change Order #4 – BC signed. With Gregston Construction for remaining sidewalks/trails within Missoula Development Park. Miscellaneous issues addressed, per Change Order. Added costs/\$43,377.50; new contract amount/\$355,157. Two originals to Barb Martens/Projects.

Contract – BCC signed. #104762 between MT DOT, Missoula County and OPG, for Federal Transit Administration 5303 Funds to support Mountain Line. Amount/\$114,404 (Federal Share 80%); \$28,603 (Local Share 20%). Term/October 1, 2009-September 30, 2010. One original to Ann Cundy/OPG.

Contract – BCC signed, dated November 17, 2009. Between County (PHC) and Butte Silver-Bow Health Department for provision of Ryan White Part C Early Intervention Services. Amount/\$18,000. Term/April 1, 2009-March 31, 2010. Four originals to PHC for further signatures/handling.

Memorandums of Agreement – BCC signed, dated November 17, 2009. Between County and following for CBO FY 2010 (July 1, 2009-June 30, 2010) funding:

1. American Red Cross (disaster assistance); amount/\$5,000;
2. Poverello Center, Inc.; amount/\$34,800;
3. Salvation Army (Transportation Program); amount/\$18,000;
4. Salvation Army (Winter Shelter Program); amount/\$25,000; and
5. West Valley Community Council; amount/\$1,000.

Resolution No. 2009-166 – BCC signed, dated November 17, 2009. Open Space Projects Budget Amendment totaling \$200,000 (\$175,000/County & \$25,000/City from Cash Reserves) for Spooner Creek Open Space Acquisition. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-167 – BCC signed, dated November 17, 2009. Open Space Projects Budget Amendment for \$245,000 from Cash Reserves for Boyer Open Space Project. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-168 – BCC signed, dated November 17, 2009. Budget Amendment totaling \$1,700,000 to create Construction Account for Larchmont Irrigation Project. (\$1,050,000/Bond Proceeds; \$350,000/Transfer from CIP; & \$300,000/Other Sources). For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Letter – BCC signed, dated November 16, 2009. To Faye Swift, US EPA, Washington, D.C., supporting Missoula Metropolitan Planning Organization's Clean Diesel Funding Assistance Grant Application for \$1.5 million to purchase emission control technologies for MRL locomotives in Missoula. Original to Ann Cundy/OPG.

Additional discussion item(s): Additional speed study on Highway 83; Greg Robertson to do letter.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated November 19, 2009:

- 1) Denying request from Amber Crane, Missoula, to refund motor vehicle taxes/fees paid for vehicle #AA0133855.
- 2) Approving request from Laura Wagner, Missoula, to refund motor vehicle taxes paid in error for vehicle #253936.
- 3) Approving request from Nancy Matthews, Chevy Chase, MD, to refund penalty/interest for Taxpayer ID #3520901.
- 4) Approving request from Joe Gould, Missoula, for refund of property taxes on equipment for Taxpayer ID #80660013 [DOR verified; refund to be processed].
- 5) Approving request from Doug Zimmerman, Missoula, to refund motor vehicle taxes paid in error for vehicle #2448216.
- 6) Approving request from Patricia Skergan, Missoula, for abatement of 2007/2008 taxes for Taxpayer ID #3608000 [DOR to prepare proper paperwork].
- 7) Approving request from Janet Donahue, Missoula, for refund of taxes overpaid due to incorrect assessment for Taxpayer ID #5852212 [DOR to prepare proper paperwork].
- 8) Approving request from Tina Miller, Redding, CT, to refund penalty/interest for Taxpayer ID #2210601.
- 9) Approving request from Ellen Swift, Missoula, for refund of taxes overpaid due to incorrect assessment for Taxpayer ID #2210803 [DOR to prepare proper paperwork].
- 10) Approving request from Baxter Healthcare Corp., Deerfield, IL, for refund of 2007 property taxes paid on equipment [DOR verified; refund to be processed].
- 11) Approving request from Sheryl Katayama, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #2097020.
- 12) Denying request from Gerhard Von der Ruhr, Huson, to refund penalty/interest for Taxpayer ID #90213301.
- 13) Approving request from John Velk, Missoula, to refund penalty/interest for Taxpayer ID #2001904.
- 14) Approving request from Ann Schlicker, Missoula, to refund penalty/interest for Taxpayer ID #3454903.
- 15) Approving request from Mark Bretz, Missoula, to waive penalty/interest for several Taxpayer ID #s.
- 16) Denying request from Marti Hege, Missoula, to refund motor vehicle taxes/fees paid for vehicle #AA0011015.
- 17) Approving request from Robert Hunter, Milltown, for refund of taxes overpaid due to incorrect assessment for Taxpayer ID #5832674 [DOR to prepare proper paperwork].
- 18) Approving request from Heather Wilson, Missoula, to refund motor vehicle taxes/fees paid in error for Title #G954050.

Note: DOR to write letters to following: 1) Brad Porch; 2) Anna Marie Harrison; 3) Lalene Foster; and 4) Linda Kammerer.

**WEDNESDAY, NOVEMBER 18, 2009**

BCC met in regular session; all three present. Early morning: JC attended MDA's "Coffee Talk", hosted by and held at Aging Services. Evening: BCC attended beginning of All-Community Councils meeting, held at MCT.

Replacement Warrant - BC signed. Abigail Grafft, Missoula, Principal for MCPS Warrant #197358, issued October 2, 2009 on County Payroll Fund. Amount/\$36.94 (for wages). Warrant not received in mail; no bond of indemnity required.

CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed. Between County and Mark Vander Meer of Watershed Consulting, LLC. To transport and mill 83 Blackfoot Sinker Logs to specifications for Fort Missoula picnic shelter. Amount/\$4,985. Term/November 15, 2009-February 15, 2010. One original to Lisa Moisey/County Parks.

MOU – BC signed. Memorandum of Understanding and Agreement between Missoula City-County Health Department and Confederated Salish & Kootenai Tribes for WIC Registered Dietician and CPA Services. Amount/\$34,119 (grant funding). Term/October 1, 2009-September 30, 2010. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Task Order – BC signed. #10-07-6-11-035-0 to contract between MT DPHHS and Health Department County Unified Government Master Contract covering period July 1, 2005-June 30, 2012 for Office of Public Health Emergency Preparedness & Training. Renewal grant funds/\$60,308 for planning H1N1 vaccination efforts for period September 1, 2009-August 30, 2010. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Facility Use Agreement – BCC signed. Between City-County Health Dept. and MCPS for use of facilities for vaccination clinics. Amount/none. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Amendment #1 – BC signed, dated November 18, 2009. Amends contract with Territorial-Landworks, Inc. for CTEP Consultant Services for Mullan Road Trail Project (moving proposed alignment). Added expense/\$14,741.72; new contract amount/\$125,409.30.

Resolution No. 2009-169 – BCC signed, dated November 18, 2009. Ratifying Amendments to Missoula City-County Air Pollution Control Program.

Letter – BCC signed, dated November 18, 2009. To Doug Moeller, MT DOT, Missoula, concurring with letter from Seeley Lake Community Council requesting additional speed study on MT Highway 83 (from Mile Marker 18 to summit).

Letter – BCC signed, dated November 18, 2009. To David Ports, CEO, YMCA, Missoula, thanking him for comments re: Missoula County Fairgrounds and inviting him to participate in further planning process.

Additional discussion item(s): Street addressing (Emergency Services/Road Department/9-1-1). 9-1-1 and Public Works will work on website info.

**PUBLIC MEETING – NOVEMBER 18, 2009****1. CALL TO ORDER**

Chair Bill Carey opened the meeting at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey, and Commissioner Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Office of Planning and Grants Planner Jamie Erbacher, Environmental Health Specialist Mamie Colburn, and Environmental Health Specialist Ben Schmidt.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****c. Weekly Claims List for Two Weeks - \$2,285,344.75**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,285,344.75. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**d. Public Announcements****5. HEARING (Continued from November 4, 2009)****a. Pine Drive Parking Restrictions - Seeley Lake**

Chair Bill Carey opened the hearing.

Greg Robertson reviewed the previous hearings of September 30, 2009, October 21, 2009 and November 4, 2009. (Original staff report)

John Richards (pictures1, pictures2)

Commissioner Jean Curtiss and John Richards

Commissioner Michele Landquist

John Richards and Commissioner Michele Landquist

Staff comment, James McCubbin

Commissioner Jean Curtiss and

John Richards

Discussion

Public Comment

## Executive Session

Staff comment, James McCubbin, correction on resolution

Commissioner Jean Curtiss amend the resolution, third paragraph, to reflect staff comment from James McCubbin regarding the correction in the resolution, to read, "Whereas, the Board of County Commissioners is authorized by Section 7-14-2106 and Section 61-12-101, M.C.A., to adopt regulations governing parking on County roads." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend the resolution, the first resolved statement to insert time to read, "Now, therefore, be it resolved that parking within the Pine Drive easement between Elm Drive and Oak Lane in the NE ¼ Section 3, T16N, R15W is hereby prohibited between the hours of 12 a.m. and 6 a.m. as shown on Exhibit 1." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution as amended. Commissioner Michele Landquist seconded the motion. Discussion. Staff comment, James McCubbin, language suggestion. Discussion. Commissioner Jean Curtiss withdrew her motion and Commissioner Michele Landquist withdrew her second.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners insert a new resolved statement in the resolution to read, "Be it further resolved that this parking prohibition shall not apply if a temporary parking permit has been issued by the County." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

John Richards and Commissioner Jean Curtiss

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution as amended." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

6. **BID AWARD (Public Works)**

## a. Skid Steer

Chair Bill Carey opened the hearing.

Greg Robertson presented the staff report.

Public Comment and Questions from Commission

Executive Session

Commissioner Michele Landquist made a motion that the Board of County Commissioners award the bid for a skid steer (to H & E Equipment in the amount of \$55,399.00). Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

Chair Bill Carey recessed the Board of County Commissioners meeting and opened the Planning and Zoning Commission meeting.

Members Present: Commissioner Jean Curtiss, Chair Bill Carey, Commissioner Michele Landquist, Member Greg Robertson, and Member Vickie Zeier.

Absent: Laura Howe and Sylvia Weisenberger

7. **HEARING (Planning & Zoning Commission)**

## a. Peak Health &amp; Wellness Center (Maximum Wall Element Variance Request) - Citizen-Initiated Zoning District #43 (4990 Buckhouse Lane)

Chair Bill Carey opened the hearing.

Jamie Erbacher presented the staff report.

Questions from Members

Developer's representative presentation, Andy Short (handouts)

Questions from Members

Public Comment

Chris Mostad

George Hart

Staff comment, Jamie Erbacher

Staff comment, James McCubbin

Andy Short

Commissioner Michele Landquist and Commissioner Jean Curtiss

Chair Bill Carey and Jamie Erbacher

Discussion

Public Comment

Executive Session

Questions from Members

Comments

Commissioner Michele Landquist made a motion that the Planning and Zoning Commission approve (recommend to the Board of County Commissioners to approve) the request to vary from the maximum height of 18 feet for individual wall elements of the Peak Health and Wellness Center tennis facility building located at 4990 Buckhouse Lane based on the finding of fact and conclusions of law found in the staff report. Greg Robertson seconded the motion. The motion carried on a vote of 5-0.



Chair Bill Carey recessed the Planning and Zoning Commission and re-opened the Board of County Commissioners meeting.

**Executive Session**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the recommendation from the Planning and Zoning Commission. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**8. HEARINGS**

**a. Boyer Open Space Bond Project Reconsideration**

Chair Bill Carey opened the hearing.

Nancy Heil presented the staff report.

Questions from Commission

Developer's representative presentation, Pelah Hoyt, Five Valleys Land Trust

Public Comment

Juanita Vero, Open Lands Citizen Advisory Committee

**Executive Session**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners affirm that it has reviewed the changes in the Boyer project and these changes do not adversely affect the Board's decision to approve the expenditure of \$245,000 in Open Space Bond funds for the project, based on recommendations of the Open Land Citizen Advisory Committee, public hearing comments, and staff's analysis. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**b. Adopt Resolution Ratifying Changes to Missoula City-County Air Pollution Control Program**

Chair Bill Carey opened the hearing.

Mamie Colburn presented the staff report.

Questions from Commission

Public Comment

George Hart

Staff comment, Mamie Colburn

Staff comment, James McCubbin and Mamie Colburn

Staff comment, Ben Schmidt

Discussion, questions, and answers

Colburn Howell

Mike Lake

Commissioner Jean Curtiss

John Richards

Commissioner Jean Curtiss

**Executive Session**

Commissioner Jean Curtiss

Colburn Howell

Discussion

Commissioner Jean Curtiss

Commissioner Michele Landquist, Ben Schmidt, and Commissioner Jean Curtiss

Commissioner Jean Curtiss

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution to ratify the amendments to the Missoula City-County Air Pollution Control Program. Chair Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss

**9. OTHER BUSINESS**

John Richards

**10. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:50 p.m.

**THURSDAY, NOVEMBER 19, 2009**

BCC met in regular session; all three present.

Plat – BCC signed. Owner-Dean Gingerich. Double 'R' Acres/Block 1/Lot 1 (2-lot residential subdivision), located in NE¼ of Section 26, T 13 N, R 20 W, PMM, Missoula County. Total area/2.42 acres.

**ADMINISTRATIVE MEETING**

Reapplication Form – BCC signed, dated November 19, 2009. General Permit for MS4 Stormwater Discharge Permit; required by Clean Water Act. Participants: County/MDOT/UofM/City of Missoula. Original to Tim Elsea/Public Works.

Letter – BCC signed, dated November 19, 2009. To Robert Ray, Watershed Protection Section, MT DEQ, Helena, in support of 319 Grant proposal submitted by Swan Ecosystem Center for water quality improvement projects/Swan River Watershed.

Additional discussion item(s): 1) Joint Public Meeting w/Lake County Commissioners; 2) Cancel 11/25/09 Public Meeting.

## FRIDAY, NOVEMBER 20, 2009

BCC met in regular session; quorum present. JC out of office most of day at Mental Health Board/CDC Meeting, held in Hamilton.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, NOVEMBER 23, 2009

BCC met in regular session; all three present. Afternoon: BCC, Dale Bickell, Larry Farnes and Kim Mansch did walk-thru of Creamery Building.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Larsen SLR/Plan Adjustment.

Phasing Plan Amendment – BCC reviewed/signed letter, dated November 25, 2009 to Dave/Judy Larsen. approving plan adjustment & amendments to conditions of approval #1 (re: access) & #5 (re: fire protection water supply) for Larsen Subdivision for Lease or Rent. Plan adjustment eliminates approved shared access road on View Crest Drive/creates two separate accesses.

Larchmont Claims – BCC signed one (1) Signature Page for A/P Invoice Register dated November 20, 2009. Amount: \$1,724.34. Document to County Auditor.

## TUESDAY, NOVEMBER 24, 2009

BCC met in regular session; all three present. Afternoon: BCC held meeting with members of Seeley Lake Community Council.

ADMINISTRATIVE MEETING

Annual Certifications – BC signed. Required by MT DOC; certifications for 1999 and the 2004 HOME Program for Opportunity Resources, Inc. (Pioneer 1 and Pioneer II group home residents). Originals to Jean Harte/OPG.

Memorandum of Agreement – BCC signed, dated November 24, 2009. Between County and WORD, Inc. to operate a MT Parent Information and Resource Center. Term/October 1, 2009-September 30, 2010. Total/\$7,500. One original to Peggy Seel/OPG.

Request – BCC approved/adopted County revised Travel Policy #06-01. Updated are allowable per diem rates to mirror City of Missoula in-state meals/rates of federal GSA for out-of-state meals/lodging. Original to Barb Berens/Auditor.

Bid Award – BCC approved/awarded purchase of 150 tons of deicing agent to We Dust. Amount/\$19,200. Original to Greg Robertson/Public Works.

Resolution No. 2009-172 – BCC signed, dated November 24, 2009. Granting petition for inclusion into RSID No. 901 for Lolo Community Church.

Resolution No. 2009-171 – BCC signed, dated November 24, 2009. Capital Improvement Budget Amendment totaling \$100,000; BCC-approved transfer to Seeley Lake Fire for acquisition of Plum Creek property (15-year loan payable semi-annually). For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2009-170 – BCC signed, dated November 24, 2009. Rural Initiatives Budget Amendment totaling \$537,004 (\$300,000, \$200,000, \$36,204); for DNRC Mining Reclamation Grants (two for restoration and one for planning). For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Memorandum of Agreement – BCC signed, dated November 24, 2009. Between County and Lolo Community Council for 2010 CBO Funding. Term/July 1, 2009-June 30, 2010. Total/\$1,000. One original to Jean Hartel/OPG.

Memorandum of Agreement – BCC signed, dated November 24, 2009. Between County and Child Development Center for 2010 CBO Funding. Term/July 1, 2009-June 30, 2010. Total/\$11,712. One original to Jean Harte/OPG.

Letter - BCC signed, dated December 3, 2009 to Cort Jensen, MT Dept. of Agriculture, Helena, 1) supporting County Weed District's need to prioritize all noxious weeds, and 2) asking what support will be provided to county weed districts enabling landowners to do a more effective job in control of weeds under proposed new rule changes. Original to Jerry Marks/Weed District.

Letter - BCC signed, dated November 23, 2009 to Senator Jon Tester, Washington, D.C., supporting proposed Forest Jobs and Recreation Act, announced in July 2009. Original to Sarah Richey/RI.

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Pay Period: 24/CY2009 - Pay Date: November 20, 2009. Total Payroll: \$1,162,185.33 Document to County Auditor. Due to clerical oversight, document signed by BCC on 11/15/10.

Letters - BCC signed two letters, dated November 23, 2009 to Chair James Oberstar & Ranking Member John Mica, Committee on Transportation & Infrastructure, supporting inclusion of following in this year's WRDA bill: 1) Spring Meadows Addition Sewer Project; and 2) Wye Regional Water System Project. Originals to Greg Robertson/Public Works.

Letter - BCC signed, dated November 24, 2009 to Mayor Engen & Bruce Bender, CAO/City of Missoula, regarding Third Street settlement repair bill and Interlocal Agreement.

Additional discussion item(s): 1) Superintendent of Schools; and 2) BCC concurs with speed limit study/North of Seeley Lake.

**WEDNESDAY, NOVEMBER 25, 2009**

BCC met in regular session; quorum present. BC out of office all day.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

No Agenda items.

Discussion item(s): 1) Letter re: Poverello Funding Application; Dale to follow-up with Ellie Hill on specifics; 2) Letter re: MCTAC/Community Access Preservation Act; letter of support to Melani and Ginny at City.

**PUBLIC MEETING - CANCELED.****THURSDAY, NOVEMBER 26, 2009**

**COURTHOUSE WAS CLOSED FOR THE THANKSGIVING DAY HOLIDAY**

**FRIDAY, NOVEMBER 27, 2009**

BCC did not meet in regular session. BC/JC/ML out of the office all day.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, NOVEMBER 30, 2009**

BCC met in regular session; quorum present. ML out of the office through Thursday, December 3<sup>rd</sup> at Commissioner Certification Training, held at MACo Office in Helena.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Bratumn Acres Subdivision (info); and 3) OPG Director's Update.

Application for Federal Assistance SF-424 - BC signed, dated November 30, 2009. For \$1,130,001 funding for OPG/Transportation Planning Division. To Dave Prescott/OPG.

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: DECEMBER, 2009

BCC = BOARD OF COUNTY COMMISSIONERS

BC = Commissioner Bill Carey, Chair

JC = Commissioner Jean Curtiss

ML = Commissioner Michele Landquist

The following Claims Lists were signed during the month of DECEMBER 2009:

Date Signed	Claims List Date	Who signed	Amount
December 1, 2009	November 30, 2009	JC, BC	\$41,736.30
December 1, 2009	December 1, 2009	JC, BC	\$5,146.23
December 2, 2009	December 1, 2009	JC, BC	\$2,619.17
December 2, 2009	December 2, 2009	JC, BC	\$166,118.43
			\$1,077,003.20
			\$30,710.36
			\$37,677.24
December 3, 2009	December 3, 2009	JC, BC	\$12,821.06
			\$10,906.86
			\$14,281.97
December 4, 2009	December 3, 2009	BCC	\$91,928.55
			\$18,095.19
December 7, 2009	December 7, 2009	BCC	\$36.00
December 9, 2009	December 8, 2009	BCC	\$41,094.77
December 9, 2009	December 9, 2009	BCC	\$19,157.25
			\$4,436.63
			\$17,882.57
December 10, 2009	December 10, 2009	BCC	\$6,700.66
December 11, 2009	December 10, 2009	BC, ML	\$188,082.22
			\$30,722.67
			\$36,893.36
			\$131,729.53
			\$52,796.42
December 14, 2009	December 14, 2009	BCC	\$210,870.29
			\$52,409.27
			\$17,555.36
			\$861,660.85
December 14, 2009	December 14, 2009	BC, JC	\$382.00
December 15, 2009	December 14, 2009	BCC	\$18,190.57
December 16, 2009	December 15, 2009	BCC	\$24,107.88
December 16, 2009	December 16, 2009	JC, ML	\$2,622.30
December 17, 2009	December 17, 2009	BCC	\$4,434.93
			\$12,237.30
			\$282,372.32
December 18, 2009	December 17, 2009	BCC	\$51,244.44
December 21, 2009	December 21, 2009	BCC	\$17,526.85
			\$4,869.04
			\$27,883.11
			\$3,839.75
December 22, 2009	December 21, 2009	BCC	\$4,726.91
			\$20,618.43
			\$78,617.20
December 23, 2009	December 22, 2009	BC, ML	\$223,737.03
December 23, 2009	December 23, 2009	BC, ML	\$21,467.94
December 23, 2009	December 23, 2009	BCC	\$28,114.63
December 29, 2009	December 23, 2009	BCC	\$30,722.45
			\$39,199.73
			\$21,158.16
			\$12,406.64

December 29, 2009	December 28, 2009	BCC	\$135,987.55
December 29, 2009	December 29, 2009	BCC	\$59,611.40
			\$8,422.81

All Claims Lists were returned to the Accounting Department.

**TUESDAY, DECEMBER 1, 2009**

BCC met in regular session; quorum present. ML out of the office through Thursday, December 3<sup>rd</sup> at Commissioner Certification Training, held at MACo Office in Helena.

**ADMINISTRATIVE MEETING**

License Agreement Amendment – BCC signed, dated December 1, 2009. Between County (MCCHD) and Southgate Mall Associates, LLP to extend term date through December 10<sup>th</sup> for use of donated commercial lease space/pay utilities for immunization clinic. Added expense/ \$14,741.72; new contract amount/\$125,409.30.

Letter – BCC signed, dated December 1, 2009. To Mary Sexton, DNRC, Helena, enclosing Notice of Completion and letter for Lewis & Clark Subdivision Water System.

Additional discussion item(s): None

**WEDNESDAY, DECEMBER 2, 2009**

BCC met in regular session; quorum present. ML out of the office through Thursday, December 3<sup>rd</sup> at Commissioner Certification Training, held at MACo Office in Helena.

Replacement Warrant - BC signed. Jennifer Cox, Missoula, Principal for MCPS Warrant #198350, issued November 13, 2009 on County Payroll Fund. Amount/\$61,37 (for wages). Warrant not received in mail; no bond of indemnity required.

Monthly Report - BC examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending November 30, 2009.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Approval/Budget Transfer – BCC approved County Parks Board recommendation to award Fall FY10 Matching Grant Funds (\$4,000 each) to following: 1) Seeley Lake Lions Club; 2) Hellgate Lions Club; and 3) Mount Jumbo West LL. BCC signed Budget Transfer Control No. 10-005/Parks, moving \$12,000 to provide unique project codes for each Grant.

Additional discussion item(s): Discussion with Superintendent of Schools.

**PUBLIC MEETING – DECEMBER 2, 2009**

**1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss and Chair Bill Carey. Absent: Commissioner Michele Landquist.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, and Office of Planning & Grants Planner Rebecca Ciccone, and Public Works Survey Technician Steve Smith.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

Vanessa Humber

Staff comment, Greg Robertson

Discussion

Warren Little

Discussion

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

**a. Weekly Claims List for Two Weeks - \$1,433,099.33**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,433,099.33. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**b. Public Announcements**

## 5. CONSIDERATION

- a. Bratumn Acres Subdivision (3 lots on 3.27 acres) - Sapphire Drive in Lolo  
 Chair Bill Carey opened the hearing.  
 Rebecca Ciccone presented the staff report. (PowerPoint)  
 Developer's representative presentation, Ron Ewart  
 Questions from Commission  
 Staff comment, James McCubbin, proposed language, Condition of Approval #23  
 Staff comment, Janet Rhoades, proposed language, Condition of Approval #23 and James McCubbin  
 Staff comment, James McCubbin, recommendations regarding proposed changes to language #1, #6, #7, #10  
 Discussion  
 Commissioner Jean Curtiss, Condition of Approval #10 suggested language  
     Staff comment, James McCubbin and Commissioner Jean Curtiss  
     Staff comment, Greg Robertson and Commissioner Jean Curtiss  
 Public Comment  
 Questions from Commission  
 Executive Session  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #1, second line, to insert minimum in front of 30, so it would read "[Plans for and installation of the road serving Lots 1 and 2 to a minimum 14-foot width, with 3-foot wide gravel shoulders on each side,] within a minimum 30-foot wide private access easement, [shall be reviewed and approved by Missoula County Public Works and Missoula Rural Fire District prior to final plat approval.]" Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
  
 Commissioner Jean Curtiss comment  
     Staff comment, Greg Robertson and Commissioner Jean Curtiss  
     Staff comment, Janet Rhoades, suggested amendment, Greg Robertson, and Ron Ewart  
 Commissioner Jean Curtiss, findings of fact  
 Discussion  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike Condition #7. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
 Commissioner Jean Curtiss and Janet Rhoades, findings of fact  
  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #10 to read, "Plans for and installation of 'No Parking' signs to restrict part on both sides of the road serving Lots 1 and 2" and strike, "...and along the east side of Sapphire Drive." [and include] "shall be reviewed and approved by Missoula County Public Works and the Missoula Rural Fire [District prior to final plat approval.]" Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
  
 Commissioner Jean Curtiss, Condition of Approval #23  
     Staff comment, James McCubbin, language suggestion  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #23 to reflect the language we talked about to allow a well to be built in the buffer of Lot 2, so long as it's reclaimed as will be defined in a new amendment. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners add a new Condition #26 to reflect the riparian management plan being amended to reflect our discussion we've had today. Staff will give Cathie the wording. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners deny the request to vary from Article 3.2.3 (3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of Sapphire Drive to require installation of a minimum 5-foot wide paved walkway separated from the roadway by a minimum 7-foot [wide] boulevard/drainage swale along the east side of Sapphire Drive adjacent to the subdivision. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.  
  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners deny the request to vary from Article 3.2.3 (3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of the new road serving Lots 1 and 2. Staff comment, James McCubbin, recommendation on motion, and Commissioner Jean Curtiss. Motion died for lack of a second.  
 Staff comment, Janet Rhoades, suggested motion.  
 Discussion  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve [the request to vary from Article 3.2.3 (3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of the new road serving Lots 1 and 2 serving Lots 1 and 2 to require installation of a minimum 5-foot wide paved walkway separated from the roadway by a minimum 7-foot wide boulevard/drainage swale within sufficient easement.] Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

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Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request to vary from Article 3.2.3 (3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of the private road along the north boundary of the subdivision. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Bratumn Acres Subdivision based on the findings of fact as amended and subject to the recommended conditions [of approval] as amended. Chair Bill Carey seconded the motion. The motion carried on a vote of 2-0.

Warren Little, continued discussion of public comment item from above  
Staff comment, Greg Robertson  
Discussion

## 6. HEARING

- a. Petition to Vacate a Plat or Part of a Plat - Kahle Lots Subdivision, Lot 2C (Mullan Road, West of Primrose) (staff report)  
Chair Bill Carey, question on procedure.  
Staff comment, James McCubbin, (letter) recommendation on procedure  
Chair Bill Carey opened the hearing  
Kim Cox verified the petition.  
Public Comment  
Staff comment, James McCubbin  
Petitioner's representative presentation, Ken Jenkins  
Suggest continue hearing to another date  
Commissioner Jean Curtiss comment  
Ken Jenkins  
Chair Bill Carey comment and Ken Jenkins  
Staff comment, James McCubbin, recommendation, continuation of hearing  
Discussion  
Public Comment  
Chair Bill Carey, continued hearing to January 13

## 7. OTHER BUSINESS

## 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:01 p.m.

### THURSDAY, DECEMBER 3, 2009

BCC met in regular session; quorum present. ML out of the office through Thursday, December 3<sup>rd</sup> at Commissioner Certification Training, held at MACo Office in Helena. Evening: BCC traveled to/held Joint Public Meeting with Lake County BCC (re: Secession), held at Swan Valley School Gym.

#### ADMINISTRATIVE MEETING

Contract – BCC signed, dated December 3, 2009. Between County and Eight Acre Woods LLC to provide incentive to owners of Jim & Mary's RV Park to connect to city sewer. Amount/\$32,000 from Water Quality District Budget. Three originals to Julie Mohr/Health Dept.

Resolution No. 2009-173 – BCC signed, dated December 3, 2009. Authorizing temporary reduction of speed limit on [Lower] Miller Creek Road to accommodate construction activities.

Contract – BCC signed, dated November 30, 2009. Between County and Above Board Construction for demolition/removal of materials at Creamery Building. Amount/\$10,000. Term/December 3-31, 2009. Two originals to PHC.

Contract – BCC signed, dated November 30, 2009. Between County and BN Builders, Inc. for Phases 1 and 2 remodeling project at PHC. Amount/\$79,300. Term/December 3-31, 2009. Two originals to PHC.

Memorandum of Agreement – BCC signed, dated December 3, 2009. Between County and WORD, Inc. for Families in Transition Program. Term/July 1, 2009-June 30, 2010. Total/\$23,000 (CBO FY2010 Funding).

Letter – BCC signed, dated December 1, 2009. On behalf of Mountain Home Montana, Inc. to Gus Byrom, CDBG Program, Helena, requesting extension for deadline on special condition of award for CDBG funds from MT DOC. Extension needed to secure remaining private funding for April 2010 construction of five-unit apartment building.

Additional discussion item(s): None.

### FRIDAY, DECEMBER 4, 2009

BCC met in regular session; all three present.

Indemnity Bond – BC signed. Young Audiences, Missoula, Principal for A/P-Claims Warrant #27-200531, issued June 3, 2009 on County Misc. Federal Fund. Amount/\$2,700 (for Instruction). Warrant lost.

Replacement Warrant - BC signed. Kelly McCool, Missoula, Principal for MCPS Warrant #197825, issued October 20, 2009 on County Payroll Fund. Amount/\$46.17 (for wages). Warrant not received in mail; no bond of indemnity required.

Resolution No. 2009-174 - BCC signed, dated December 4, 2009. Regulating Parking on Pine Drive, Seeley Lake Homesites No. 4, NE¼ Section 3, T 16 N, R 15 W. Due to vehicles/heavy equipment creating hazard for traveling public/County road maintenance. Public Meeting held August 5, 2009.

Resolution No. 2009-175 - BCC signed, dated December 4, 2009. Abandoning a portion of county road described as a public road per Road Plat Book 1, located in S½ of SW¼ of Section 11, T 11 N, R 20 W, PMM, Missoula County (from the Bitterroot to Bannack Road).



Vickie M. Zeier  
Clerk & Recorder



Bill Carey, Chair  
BCC

**MONDAY, DECEMBER 7, 2009**

BCC met in regular session; all three present in morning. Afternoon: BCC traveled to/attended Regional Economic Development Meeting, held at Quinn's Hot Springs.

Indemnity Bond - BC signed. Andrea Rasmussen, Missoula, Principal for MCPS Warrant #198723, issued November 20, 2009 on County Payroll Fund. Amount/\$115.36 (for wages). Warrant lost.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Stenerson Condition Amendment (*action*); 3) OPG Director's Update.

Condition Amendments - BCC reviewed/signed letter, dated December 11, 2009 to Stenbro, LLC approving amendments to conditions of approval #9 (re: water supply) & deleting #12 for Stenerson Subdivision.

County Payroll Transmittal Sheet - BCC signed. Pay Period: 25/CY2009 - Pay Date/December 4, 2009. Total Payroll/\$1,191,383.63. Document to County Auditor.

**TUESDAY, DECEMBER 8, 2009**

BCC did not meet in regular session. BCC out most of day at Regional Economic Development Meeting, held at Quinn's Hot Springs.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending November 30, 2009.

Monthly Report - Chair BC examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending November 30, 2009.

ADMINISTRATIVE MEETING - CANCELED.

**WEDNESDAY, DECEMBER 9, 2009**

BCC met in regular session; all three present. Noon: JC attended Leadership MT Luncheon, held at FIB Board Room.

CHIEF ADMINISTRATIVE OFFICER MEETING

Amendment - BCC signed, dated December 9, 2009. To CBO contract between BCC and YWCA of Missoula (October 14, 2009), amending funding to increase amount to YWCA by \$7,000 (from \$35,000 to \$42,000) to support case management/supportive service costs for Gateway Center Family Shelter Program.

Contract - BCC signed, dated December 2, 2009. Between County and Kim Mansch to serve as Executive Director at PHC. Amount/\$88,000. Term/July 1, 2009-June 30, 2010. Two originals to PHC.

Loan Agreement - BCC signed, dated December 2, 2009. Between County (PHC) and City of Missoula for CDBG funds from City for acquisition of Creamery Building Amount/\$275,000. Repayment deferred until current facility at 323 West Alder is sold. Three originals to PHC for additional signatures/handling.

Notices - BCC signed. Two Notices of Completion of Groundwater Development for the MT DNRC for irrigation wells to be used in Parks 3 & 6, Missoula Development Park. Originals to Barb Martens/Projects.

Resolution No. 2009-176 and Agreement - BCC adopted/signed, dated December 9, 2009. Relating to \$118,000 State InterCap Loan for RSID #8497, sewer service to Williams Addition. BC signed Loan Agreement between County and State InterCap Loan program for borrowing related to RSID #8497.

Kraft Creek Road Documents - BCC signed Schedule "A" Agreement, Easement Agreement, Road Easement Application and Project Agreement between the County and Flathead National Forest for Kraft Creek Road area easements/maintenance. Budget Amendment forthcoming.



Budget Transfer – BCC signed, dated May 5, 2009. Control No. 10-001/Health Dept. (Water Quality District); transfer from WQD budget to Contracted Services of \$32,000 for Eight Acre Woods LLC to provide incentive to owners of Jim & Mary's RV Park to connect to city sewer.

Letter – BC signed, dated December 8, 2009. To David Stack, Nat'l Museum of Forest Service History, Missoula, supporting Museum's building of *National Conservation Legacy and Education Center*. Letter mailed.

Resolution No. 2009-177 – BCC signed, dated December 9, 2009. Abandoning portions of county roads described as S½ of Sixth Street and alley in Block 11 of East Clinton, located in SE¼ of Section 27, T 12 N, R 17 W, PMM, Missoula County. Public hearing held October 21, 2009;

Additional discussion item(s): 1) Technical needs of BCC. Presentation to be given re: notebooks vs. laptops; 2) Fair update.

#### **PUBLIC MEETING – DECEMBER 9, 2009**

##### **1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey, and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin and Office of Planning and Grants Planner Jamie Erbacher.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **c. Weekly Claims List - \$1,462,198.03**

Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,462,198.03. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### **d. Public Announcements**

##### **5. HEARING**

~~a. Zoning District 18 Variance Request (Side Yard Setback) – Bruce Hazeltine, 4975 Evergreen~~  
~~—(contact the Office of Planning and Grants for information, 258-4657)~~

#### **POSTPONED TO JANUARY 6, 2010**

Chair Bill Carey, hearing postponed

Staff comment, James McCubbin, process

Chair Bill Carey opened the hearing.

Jamie Erbacher explained the continuance

Public Comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners continue the Zoning District 18 Variance Request for Bruce Hazeltine, 4975 Evergreen hearing on January 6, 2010. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

##### **6. OTHER BUSINESS**

##### **7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:32 p.m.

#### **THURSDAY, DECEMBER 10, 2009**

BCC met in regular session; all three present. Early afternoon: BCC attended County Parks Board Meeting to honor County Parks Stewards of the Year. Afternoon: BCC, et al held meeting re: Horse Racing at 2010 Western MT Fair.

#### **ADMINISTRATIVE MEETING**

Contract – BCC signed, dated December 10, 2009. Between County and MTG Management Consultants to design data network for Emergency Operations Center (\$106,245) and rewrite County's Emergency Operations Plan (\$41,512.91). Total Amount/\$147,757.91. Term/October 26, 2009-March 31, 2011.

Resolution No. 2009-178 – BCC signed, dated December 10, 2009. Emergency Services Budget Amendment for \$106,245 to fund MTG Management Consultants to design data network for Emergency Operations Center. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Additional discussion item(s): 1) Fair update; 2) Attendance at Chamber Ad Hoc Board Meetings; BCC to rotate; 3) Update on recent Board/Commission Meetings.

FRIDAY, DECEMBER 11, 2009

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BCC met in regular session; quorum present. JC out of the office all day.

*Vickie M. Zeier*

Vickie M. Zeier  
Clerk & Recorder

*Bill Carey*

Bill Carey, Chair  
BCC

MONDAY, DECEMBER 14, 2009

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Reiling Floodplain (info).

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Registers dated December 3 and 9, 2009. Amount/\$37,398.44. Document to County Auditor.

TUESDAY, DECEMBER 15, 2009

BCC met in regular session; all three present.

Indemnity Bond – BC signed. Rachel Rebhan, Missoula, Principal for MCPS Warrant #198985, issued December 4, 2009 on County Payroll Fund. Amount/\$53.56. Warrant inadvertently destroyed.

#### ADMINISTRATIVE MEETING

Request – BCC reviewed/approved RI/County Parks to advertise Request for Proposal for assistance in developing an updated County Parks Plan that will include a trails component. Original to Lisa Moisey/Parks.

Board Appointments – BCC appointed following:

Board	Name	Term
Airport Authority	Joe Easton	1/1/10-12/31/2014
Airport Authority	Stephen Powell (1 <sup>st</sup> Alternate)	1/1/10-12/31/2010
Airport Authority	Larry Anderson (2nd Alternate)	1/1/10-12/31/2010
Florence-Carlton Cemetery	Elizabeth Maclay	1/1/10-12/31/2012
Impact Fee Advisory Committee	Dale Mahlum	1/1/10-12/31/2012
Impact Fee Advisory Committee	Bruce Bugbee	1/1/10-12/31/2012
Lolo Mosquito Control	JoAnne Stewart	1/1/10-12/31/2012
Lolo Mosquito Control	Tyler Ingraham	1/1/10-12/31/2012
Tax Appeal	Natalie Carlson	1/1/10-12/31/2012
Historical Museum Board	John Rimel (1 <sup>st</sup> Alternate)	1/1/10-12/31/2012
Historical Museum Board	Gary Glynn (2 <sup>nd</sup> Alternate)	1/1/10-12/31/2012
Historical Museum Board	Addrien Marx	1/1/10-12/31/2012
Library	Rita Henkel	1/1/10-12/31/2012
Weed	John Rimel	1/1/10-12/31/2012
Weed	Bryce Christiaens	1/1/10-12/31/2012
Weed	Corey Lynn Gucker	1/1/10-12/31/2012
Weed	Carol Minjares (to Reg. Member)	1/1/10-12/31/2012
Weed	Bryan Deschamps (1 <sup>st</sup> Alternate)	1/1/10-12/31/2010
Weed	Robin Innes (2 <sup>nd</sup> Alternate)	1/1/10-12/31/2011
MUTD	Andy Sponseller	1/1/10-12/31/2013
Seeley Lake Refuse District	Bruce Bourne	1/1/10-12/31/2012
Seeley Lake Refuse District	Mark Mizner-Welch	1/1/10-12/31/2012
Zoning BOA	Lucas Jackson	1/1/10-12/31/2011
Zoning BOA	Jerry Ford	1/1/10-12/31/2011
Larchmont	Jim Conkle	1/1/10-12/31/2012
Larchmont	Peter Ridgeway	1/1/10-12/31/2012
Planning/Zoning Commission	Sylvia Weisenburger	1/1/10-12/31/2011
Planning/Zoning Commission	Dick Ainsworth	1/1/10-12/31/2010

Amendment #1 – BC signed. To Task Order #10-07-6-11-035-0 between County and MT DPHHS which renewed annual public health emergency preparedness grant/added funds for emergency response under federal public health emergency declaration. Amendment increases funding from \$189,778 to \$424,395. Three originals to Julie Mohr/Health Dept.

Stipulation for Entry of Judgment – BCC signed. Re: Cause #DV-09-1108, Lipski vs. County, et al. Lawsuit for declaratory judgment that no county road right-of-way exists on plaintiffs' property. Original to James McCubbin/County Attorney's Office.

Contract Award – BCC reviewed/approved award of Engineering Services Contract for Groundwater Study/Development of Preliminary Engineering Report for the Wye Area Regional Water System to WGM Group, Inc. and AMEC Geomatrix. Original to Greg Robertson/Public Works.

Letter – BCC signed, dated December 15, 2009. To Melissa Gordon, Missoula At-Risk Housing Coalition, supporting Coalition's 2010 Project Homeless Connect event.

Letter – BCC signed, dated December 15, 2009. To Gerald Watne/Multifamily Program Manager, MT Board of Housing, Helena, supporting rehabilitation/preservation of Sentinel Village Apartments.

Additional discussion item(s): None.

<b>WEDNESDAY, DECEMBER 16, 2009</b>
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BCC met in regular session; all three present. Morning: BCC attended retirement celebration for Trudy Mizner, held at Health Services Conference Room. Noon: BCC attended retirement lunch for Lettie Hunnako, held at OPG Conference Room.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Contract – BC signed, dated December 11, 2009. Between County (PHC) and Bernadette Roy, RN for case management services at PHC. Amount/\$49,920 annually.. Term/November 30, 2009-June 30, 2011. Three originals to PHC for further signatures/handling.

Contract – BC signed, dated December 16, 2009. Between County (PHC) and Cory Adams for Pharmacist services at PHC. Amount/\$95,680 annually. Term/January 19, 2010-June 30, 2011. Three originals to PHC for further signatures/handling.

Collective Bargaining Agreement – BCC signed, dated December 16, 2009. Between County and AFSCME Detention Support Unit for 2009-2011. Two originals to Patty Baumgart/HR.

Contract Addendum – BCC signed, dated December 16, 2009. Between County and Professional Consultants, Inc. for reinforced grass parking lot in Missoula Development Park #2 (Mount Jumbo West Little League ball fields). Amount/\$10,000. Original to Barb Martens/Projects.

Board Appointment - BCC reappointed Surry Latham as a Member of the 9-1-1 Advisory Board. Her term will run January 1, 2010-December 31, 2012.

Letter - BCC signed letter, dated December 17, 2009 to Nathan Richmond/Lolo Vista Apartments, LP, Missoula, supporting Lolo Vista Apartments' efforts to supply affordable housing.

Additional discussion item(s): Fair update.

**PUBLIC MEETING – DECEMBER 16, 2009**

**1. CALL TO ORDER**

Chair Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Chief Administrative Officer Dale Bickell, Deputy County Attorney James McCubbin, Clerk & Recorder Vickie Zeier, Senior Attorney Dori Brownlow, and Administrative Analyst Anne Hughes.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

**e. Weekly Claims List - \$1,714,672.30**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,714,672.30. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**f. Public Announcements**

**5. HEARING**

**a. Proposed Precinct and Polling Place Consolidation**

Chair Bill Carey opened the hearing.

Vickie Zeier presented the staff report.

Questions from Commission

Public Comment

Dick Barrett

Ron Erickson

Carol Marsh

Douglas Coffin

Steve Dogiakos

Terry Kendrick

Patty Baumgart  
 Jason Wiener  
 Thomas Gurnard  
 Matthew Fennel & Emily May  
 Bob Jaffe  
 Cliff Larsen  
 Daniel Viehland  
 Marilyn Marler  
 Willis Curdy  
 Stacy Rye  
 Pam Walzer  
 Bunny Haines  
 Tim Furey  
 Carolyn Squires  
 Owen Weber  
 Denver Henderson  
 Zachary Porter  
 Ellie Hill  
 Ray Davis  
 John Blake  
 Michele Reinhart  
 Emily Bronk  
 Dave Strohmaier  
 Matt Leow  
 Mike Fellows  
 Bradley Seeman  
 Ross Prosperi  
 Sara Olafson  
 Tom Cook  
 Ed Childers  
 Dick Haines  
 Gladys Hardin  
 John Bacino  
 Ada Mercer-Reed  
 Bryce Bennett  
 Ann Mary Dussault  
 Dale Bickell for Jim Foley

Commissioner Jean Curtiss comment  
 Staff comment, Vickie Zeier  
 Commissioner Michele Landquist  
 Chair Bill Carey  
 Staff comment, James McCubbin  
 Discussion  
 Staff comment, Dale Bickell, recommendation  
 Discussion  
 Chair Bill Carey comment  
 Chair Bill Carey closed the hearing

Public comment through January 6, 2010, decision scheduled for January 13, 2010.

**6. PRESENTATION (postponed to January 20, 2010)**

- a. Crandall Arambula: Preferred Fair Planning Concept  
 Chair Bill Carey announced the postponement of this hearing.

**7. OTHER BUSINESS**

**8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:55 p.m.

**THURSDAY, DECEMBER 17, 2009**

BCC met in regular session; all three present. Afternoon: BCC attended Annual DUI Task Force Meeting and Thank You, held at Holiday Inn Parkside.

ADMINISTRATIVE MEETING – No items for signature.

Additional discussion item(s): 1) December 23<sup>rd</sup> and December 30<sup>th</sup> Weekly Public Meetings are canceled; 2) Date for last 2009 Administrative Meeting is Thursday, December 29<sup>th</sup>; 3) Holiday schedule for Departmental meetings discussed.


## FRIDAY, DECEMBER 18, 2009

BCC met in regular session; all three present. Afternoon: BCC, Mayor, et al held conference call re: Smurfit Stone Closure, held at Mayor's Office.

Indemnity Bond – BC signed. NACCHO, Washington, DC, Principal for Health Dept. Warrant #30142124, issued October 5, 2009 on County 2270 Fund. Amount/\$456.96. Warrant lost.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 26/CY2009 - Pay Date/December 18, 2009. Total Payroll/\$1,234,584.48. Document to County Auditor.

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

## MONDAY, DECEMBER 21, 2009

BCC met in regular session; all three present in morning. BC out of office all afternoon.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Sequoyah Subdivision Variance Fee Refund Request.

Subdivision Letter – BCC reviewed/signed letter, dated December 23, 2009 to Red Quill Ranch, LLC (c/o Niki Sardot), denying request to refund fee for variances for Sequoyah at Red Quill Ranch Subdivision.

## TUESDAY, DECEMBER 22, 2009

BCC met in regular session; all three present in morning. ML out of office all afternoon.

Indemnity Bond – BC signed. Erin Schmiel, Missoula, Principal for Payroll Warrant #309193, issued December 18, 2009 on County 7910 Fund. Amount/\$376.11 (for payroll). Warrant lost.

ADMINISTRATIVE MEETING

Contract – BC signed. Between County (PHC) and MT DPHHS for Colorectal Cancer Screening Program in Missoula/Mineral/Ravalli Counties. Amount/up to \$18,710. Term/January 1-June 30, 2010. Three originals to PHC for further signatures/handling.

Contract – BCC signed, dated December 22, 2009. Between County and Rocking M Design to provide landscape architectural services for revisions to Missoula Development Park Special Zoning District. Amount/\$4,420. Term/December 16, 2009-May 28, 2010. One original to Barb Martens/Projects.

Board Appointment - BCC reappointed Cherie Russell as a Member of the Animal Control Board. Her term will run January 1, 2010-December 31, 2011.

Additional discussion item(s): None.

## WEDNESDAY, DECEMBER 23, 2009

BCC met in regular session; quorum present. JC serving jury duty.

CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed, dated December 23, 2009. Between County and Quality Maintenance for custodial services at Courthouse/Annex/Health Dept./Print Shop, Rural Initiatives/Missoula in Motion/Weed and Extension/Youth Court buildings. Amount/\$192,000 (1<sup>st</sup> year); \$193,800 (2<sup>nd</sup> year); \$195,600 (3<sup>rd</sup> year). Term/January 1, 2010-December 31, 2012. Two originals to Larry Farnes/Facilities Management.

Recovery Act Road Project Agreement – BCC signed. #10-RO-110182B1-037 between County and USFS to reconstruct a portion of Forest Hills Drive. Amount/up to \$35,000. One original to Greg Robertson/Public Works.

Memorandum of Agreement – BCC signed, dated December 23, 2009. Between County and Western MT Mental Health Center for mobile crisis response team. Term/July 1, 2009-June 30, 2010. Total/\$185,000 (CBO FY2010 Funding).

Grant and Budget Amendment – BC signed MT BOCC Grant Award (#09-A15-90608) in amount of \$38,452.08 for District Court personnel/contract services provided by JABG program. County to provide 10% match. Resolution No. 2009-179 – BCC signed, dated December 23, 2009. To transfer \$3,845.20 (match) and reflect JABG grant. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County. JABG originals to Brenda Johnson/District Court.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated December 22, 2009. Amount/\$29,441.82. Document to County Auditor.

Additional discussion item(s): 1) Disaster Plan revision; 2) Letter of endorsement for MUSAP Pamphlet [signed January 6, 2010]; and 3) Fair update.

PUBLIC MEETING – DECEMBER 23, 2009 - CANCELED.**THURSDAY, DECEMBER 24, 2009**

BCC did not meet in regular session. BC/JC/ML out of the office all day.

ADMINISTRATIVE MEETING – CANCELED.**FRIDAY, DECEMBER 25, 2009****COURTHOUSE CLOSED FOR THE CHRISTMAS DAY HOLIDAY**

  
Vickie M. Zeier  
Clerk & Recorder

  
Bill Carey, Chair  
BCC

**MONDAY, DECEMBER 28, 2009**

BCC did not meet in regular session. BC/JC/ML out of the office all day.

**TUESDAY, DECEMBER 29, 2009**

BCC met in regular session; quorum present. JC in and out of the office all day.

Replacement Warrant - BC signed. Brandon Robson, Missoula, Principal for Hellgate Elementary Warrant #31064, issued December 18, 2009 on County Payroll Fund. Amount/\$724.80 (for wages). Warrant not received in mail; no bond of indemnity required.

ADMINISTRATIVE MEETING

Request – Per rotation, BCC selected Michele Landquist as Chair of BCC in 2010. Memorandum sent to all Departments/Employees.

Contract – BCC signed, dated December 29, 2009. Between County and JM Engineering for design work on new boiler at building T-1/Fort Missoula. Amount/\$5,950 (+ add'l \$85/hr if needed); from Grant funds. Term/December 31, 2009-February 26, 2010. Two originals to Larry Farnes/Facilities Management.

Request – From three statements received, BCC considered/approved selection of Allied Engineering Services, Inc. to do hydrologic/hydraulic study for Cold Creek Bridge, and authorized Public Works Director to negotiate a scope/proposed contract. Original to Greg Robertson/Public Works.

Additional discussion item(s): 1) Procedure for Independent Contractor Agreement; 2) Leadership Missoula Government/Politics Day; and 3) Wetlands at Smurfit Stone.

**WEDNESDAY, DECEMBER 30, 2009**

BCC did not meet in regular session.

CHIEF ADMINISTRATIVE OFFICER MEETING - CANCELEDPUBLIC MEETING - CANCELED**THURSDAY, DECEMBER 31, 2009**

BCC did not meet in regular session.

ADMINISTRATIVE MEETING - CANCELED

MISSOULA COUNTY COMMISSIONERS' JOURNAL: JANUARY, 2010
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**BCC = BOARD OF COUNTY COMMISSIONERS**

**ML = Commissioner Michele Landquist, Chair**

**JC = Commissioner Jean Curtiss**

**BC = Commissioner Bill Carey**

The following Claims Lists were signed during the month of JANUARY 2010:

Date Signed	Claims List Date	Who signed	Amount
January 4, 2010	December 30, 2009	ML, BC	\$33,248.48
			\$26,603.36
			\$6,277.40
			\$3,154.87
January 4, 2010	December 31, 2009	ML, BC	\$142,841.74
			\$6,308.46
January 5, 2010	January 4, 2010	ML, BC	\$18,593.93
January 7, 2010	January 6, 2010	BCC	\$49,154.65
			\$2,660.27
			\$141,714.53
January 8, 2010	January 7, 2010	BCC	\$26,454.67
			\$159,269.03
			\$22,882.58
January 12, 2010	January 12, 2010	BCC	\$47,040.92
			\$15,925.67
			\$75,410.79
			\$1,014.78
			\$31,290.92
January 13, 2010	January 12, 2010	BC, ML	\$17,295.45
January 14, 2010	January 14, 2010	BCC	\$103,167.71
			\$81,424.61
			\$143,428.64
January 15, 2010	January 15, 2010	BC, JC	\$5,343.26
			\$29,645.33
January 19, 2010	January 19, 2010	BCC	\$141,003.10
			\$6,180.03
			\$29,274.44
			\$14,554.44
January 20, 2010	January 19, 2010	BCC	\$47,695.94
January 20, 2010	January 20, 2010	BCC	\$42,903.63
			\$1,084,525.17
			\$6,321.35
January 21, 2010	January 21, 2010	BCC	\$578.63
January 21, 2010	January 21, 2010	ML, JC	\$53,261.16
			\$3,555.03
			\$9,000.00
			\$2,290.80
January 25, 2010	January 25, 2010	ML, BC	\$99,688.90
			\$10,177.82
January 26, 2010	January 25, 2009	ML, BC	\$44,135.04
January 27, 2010	January 26, 2010	ML, BC	\$9,712.57
			\$95,488.60
January 27, 2010	January 27, 2010	ML, BC	\$11,669.72
			\$63,489.89
			\$26,211.50

All Claims Lists were returned to the Accounting Department.

FRIDAY, JANUARY 1, 2010

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BCC did not meet in regular session. ML/JC/BC out of the office all day.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

MONDAY, JANUARY 4, 2010

BCC met in regular session; quorum present. JC out of office ill.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) 4975 Evergreen, ZD #18 Variance Request; 3) Reiling Floodplain Appeal; 4) OPG Director's Update.

TUESDAY, JANUARY 5, 2010

BCC met in regular session; quorum present. JC out of office ill.

Plat – ML, BC signed. Owners-Kathleen Farrell & Emma Holbrook. Kathleen Addition, a replat of Lot 11-A of Sol Acreage Tracts Subdivision, 2nd Filing, Block 2, Lots 11 and 13, located in SE¼ of Section 7, T 13 N, R 20 W, PMM, Missoula County. Total area/4.060 acres.

Plat – ML, BC signed. Owners-Lue Yang/Lot 12 and Tou Lee & Pangcha Lee/Lot 13. Kona East Phase 1, Lots 12 and 13, located in E½ of Section 15, T 13 N, R 20 W, PMM, Missoula County. Total area/4 acres.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending December 31, 2009.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending December 31, 2009.

#### ADMINISTRATIVE MEETING

Resolution No. 2010-002 – Setting the 2010 Daily "Rate of Credit" for Incarceration. [Note: Resolution was amended/not filed. See January 26<sup>th</sup> Journal Entry].

County Payroll Transmittal Sheet – BCC signed. Pay Period: 01/CY2010 - Pay Date/December 31, 2009. Total Payroll/\$1,209,574.56. Document to County Auditor.

Amendment #1 – ML signed. To Task Order #10-07-301-050-0 between County and MT DPHHS to continue Missoula Comprehensive Cancer Control project at Health Dept. for FY2010. Amendment increases funding by \$45,000. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Resolution No. 2010-001 – BCC signed, dated January 5, 2010. Budget Amendment for OPG misc. transfers (\$119,029) to reduce current budget by \$96,529 and shift funds to accurately reflect current priorities facing OPG. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Budget Transfer – BCC signed, dated January 5, 2009. Control No. 10-006/OPG transferring \$22,500 to move one Planner I position from Planning Projects to Urban Initiatives.

Budget Transfer – BCC signed, dated January 5, 2009. Control No. 10-007/OPG transferring \$22,500 to move one Planner I position from Planning Projects to Planning Permits.

Budget Transfer – BCC signed, dated January 5, 2009. Control No. 10-008/Urban Initiatives transferring \$22,500 to move budget from Urban Initiatives contracted services to wages.

Satisfaction of State CDBG Sanitary Sewer Grant Program Agreements – BCC signed, dated January 5, 2010. For: 1) Vera L. Mace, 637 Michigan Avenue, Missoula, and 2) George/Kimberly McDonald, 736 Montana Avenue, Missoula, declaring fees fully paid/satisfied/discharged for qualifying low/moderate-income residents/property owner of East Missoula Sewer District

Memorandum of Agreements – BCC signed. Between County Parks Board and following for Capital Matching Fund Program/Spring FY09 grant money for park development:

- 1) Target Range School, dated June 15, 2009. Up to \$4,000 for purchase of K-1 playground equipment. Funds must be spent by May 31, 2011.
- 2) Hellgate Lions Club, dated December 8, 2009. Up to \$4,000 for club house improvements. Funds must be spent by November 30, 2011.
- 3) Seeley Lake Lions Club, dated December 8, 2009. Up to \$4,000 to enhance walking path/plant trees/construct picnic shelter. Funds must be spent by November 30, 2011.

One original to Lisa Moisey/County Parks.



Letter – BCC signed, dated January 5, 2010. To Wayne Noem, MT DOT, Helena, noting receipt of Preliminary Field Review Report for "Huson-East" and asking DOT to accelerate schedule for deteriorating Frenchtown Frontage Road

Additional discussion item(s): 1) Chamber "Weekly E-News" post; 2) Smurfit-Stone (with Peter Neilson).

**WEDNESDAY, JANUARY 6, 2010**

BCC met in regular session; all three present.

Plat – BCC signed. Owners-John A. Larson & Renee Wilkonski-Larson. Country Crest No. 3B, Lot 72, located in NW¼ of Section 14, T 13 N, R 20 W, PMM, Missoula County. Total area/1.19 acres.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Request – BCC authorized Risk Manager to have ultimate settlement authority in District Court Case S. Nelson v. Missoula County (#CV 08-44-M-DWM). Original to Hal Luttschwager/Risk & Benefits.

Letter – BCC signed, dated January 6, 2010. To Senators Baucus & Tester, in support of additional TIGER funding in Senate Jobs Bill, and support for the Active Community Transportation Act.

Letter – BCC signed, dated January 5, 2010. To Congressman Denny Rehberg, Helena Office, thanking him for his efforts to gather input re: Senator Tester's Forest Jobs and Recreation Act, and stating the BCC supports this legislation. Original to Pat O'Herren/RI.

Letter – BCC signed, dated January 5, 2010. To Gary Bakke, Missoula Area Chamber of Commerce, addressing recent post on Chamber's "Weekly E-News" webpage "Change in the Fire Prevention & Suppression Regulations for Future Subdivisions including inspections and fees." BCC noted some of info is accurate, and provided further info re: fire protection/subdivision review that is accurate in all respects.

Letter – BCC signed, dated January 1, 2010. To all Missoula County Parents re: underage drinking. [Letter for inclusion in pamphlet promoted by MUSAP].

Additional discussion item(s): None

**PUBLIC MEETING – JANUARY 6, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Chief Civil Deputy County Attorney Marnie McClain, Office of Planning and Grants Planner Jamie Erbacher, Floodplain Administrator Todd Kietz, Health Department Director of Environmental Health, and Health Department Water Quality Supervisor Peter Nielsen.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

Alex Burkhalter

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

- a. Weekly Claims List for **THREE** weeks - \$1,328,849.16

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,328,849.16. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

- b. Public Announcements

**5. HEARING (Postponed from December 9, 2009)**

- a. Zoning District #18 Variance Request (Side-Yard Setback - B. Hazeltine, 4975 Evergreen) (verbatim transcription not complete)

Chair Michele Landquist opened the hearing.

Jamie Erbacher presented the staff report.

Questions from Commission

Applicant, Bruce Hazeltine

Questions from Commission

Commissioner Jean Curtiss comment and Bruce Hazeltine

Commissioner Bill Carey comment

Chair Michele Landquist comment and Bruce Hazeltine

Commissioner Bill Carey and Commissioner Jean Curtiss

Staff comment, Jamie Erbacher

Public Comment

## Executive Session

Commissioner Jean Curtiss comments

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the variance as requested based on the findings of fact and the cols provided in the staff report. Commissioner Bill Carey seconded the motion. Discussion. Commissioner Jean Curtiss amended the motion to add the condition that the carport shall not be enclosed by walls. Commissioner Jean Curtiss comment. Staff comment, Jamie Erbacher. Commissioner Jean Curtiss amended her motion to add the condition that prior to a Zoning Compliance Permit and Building Permit being issued all utility companies must provide a release or a written document permitting this structure within the utility easement described on COS 3926. The motion carried on a vote of 3-0.

## 6. HEARING

- a. Appeal of Floodplain Permit Denial (Mark Reiling representing Sapphire Ranch) (verbatim transcription not complete)

Chair Michele Landquist opened the hearing.

Todd Klietz presented the staff report. (Staff presentation 1, 2, 3)

Applicant's representative presentation, Roger Austin

Mark Reiling, Applicant

Questions from Commission

Public Comment

Staff comment, Jim Carlson

Staff comment, Peter Nielsen

Roger Austin

Chair Michele Landquist

Staff comment, Jim Carlson

Chair Michele Landquist and Staff comment, Marnie McClain

Roger Austin

Questions from Commission

Chair Michele Landquist comment

Mark Reiling

Questions from Commission

Staff comment, Jim Carlson

Discussion

Staff comment, Todd Klietz

Staff comment, Peter Nielsen

John Kellogg

Executive Session

Commissioner Bill Carey comment

Commissioner Jean Curtiss comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the appeal with the conditions that the permit be limited to say that this is an agricultural building not to regularly be used by humans, that the landowner would provide other options for human sanitation needs when necessary, and the permit does not imply the ability to protect the building in the future from flooding. Commissioner Bill Carey seconded the motion. Chair Michele Landquist comment. The motion carried on a vote of 3-0.

## 7. OTHER BUSINESS

## 8. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:18 p.m.

THURSDAY, JANUARY 7, 2010
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BCC met in regular session; all three present.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending December 31, 2009.

ADMINISTRATIVE MEETING

Lease Agreement – ML signed renewal lease agreement between County and U.S. Forest Service for use of Miller Creek communications site. Fees exempted/waived. Term/through December 31, 2039. Originals to Bob Reid/ES for further signatures/handling.

Letter – BCC signed letter, dated January 6, 2010 to Senators Tester and Baucus, Washington, D.C., supporting two transportation-related bills: 1) Jobs For Main Street (and asking for additional funding for TIGER discretionary grants program); and 2) Active Community Transportation Act. Originals to Ann Cundy/OPG.

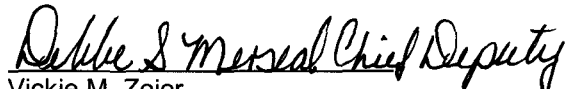
Letter – BCC signed letter, dated January 7, 2010 to Alex Burkhalter/Sparrow Group, Missoula, supporting Aspen Place Affordable Senior Living in Missoula.

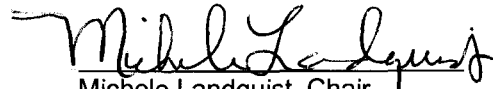
Additional discussion item(s): None.

FRIDAY, JANUARY 8, 2010

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BCC met in regular session; all three present.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

SUNDAY, JANUARY 10, 2010

In the morning, BCC met Senator Tester for breakfast at the River City Grill.

MONDAY, JANUARY 11, 2010

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Houle Meadows Subdivision Revised Water Supply for Fire Protection (*action*); 3) Larivee Addition Subdivision Revised Water Supply for Fire Protection (*action*); 4) OPG Director's Update.

Letter – BCC signed letter, dated January 20, 2010 to Steve & Betty Bidlake/Warren Sheppard, conditionally approving amendments to development covenants re: residential sprinklers for Houle Meadows Subdivision.

Letter – BCC signed letter, dated January 20, 2010 to Robert & Justin Johnson, conditionally approving amendments to development covenants re: residential sprinklers for Larivee Addition Subdivision.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated January 8, 2010. Amount/\$29,566.36. Document to County Auditor.

TUESDAY, JANUARY 12, 2010

BCC met in regular session; all three present.

Indemnity Bond – ML signed. Emily Rodewald, Missoula, Principal for Hellgate Elementary Warrant #15643, issued December 18, 2009 on County Claims Fund. Amount/\$82.25 (for supplies/Christmas Program). Warrant lost.

#### ADMINISTRATIVE MEETING

Request – BCC considered/accepted City of Missoula's settlement offer of \$28,398.33 for County's Public Works repair of 3<sup>rd</sup> Street, near Hawthorne School. County's original invoice was \$34,608.53. Original to CAO Dale Bickell.

Request – BCC reviewed/approved request from Green Government Committee to implement a Recycling Pilot Program for Courthouse. Total not to exceed \$500. Original to Jeff Seaton.

Memorandum of Agreement – BCC signed, dated December 8, 2009. Between County Parks Board and Mount Jumbo West Little League for Capital Matching Fund Program/Fall FY10 grant money for park development. Up to \$4,000 to construct major/minor league baseball field at DeSmet Complex. Funds must be spent by November 30, 2011. One original to Lisa Moisey/County Parks.

Letter – BCC signed letter, dated January 19, 2010 to Clark Fork River Basin Task Force, Missoula, suggesting they contact Pat O'Herren of RI to learn about County Growth Policy/other relevant water topics.

Additional discussion item(s): None.

WEDNESDAY, JANUARY 13, 2010

BCC met in regular session; quorum present. ML at 53<sup>rd</sup> MT Weed Control Assn. Annual Conference, held at Hilton Garden Inn.

CHIEF ADMINISTRATIVE OFFICER MEETING – No Agenda Items.

Additional discussion item(s): 1) BC will attend January 20<sup>th</sup> Chamber Ad Hoc Board Meeting; 2) Smurfit-Stone Meeting.

#### PUBLIC MEETING – JANUARY 13, 2010

##### 1. CALL TO ORDER

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Clerk & Recorder Vickie Zeier, Assistant Chief Deputy Clerk & Recorder Kim Cox, Administrative Analyst Anne Hughes, and Senior Attorney Dori Brownlow

## 2. PLEDGE OF ALLEGIANCE

## 3. PUBLIC COMMENT

## 4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

## c. Weekly Claims List - \$572,818.81

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$572,818.81. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## d. Public Announcements

## 5. HEARING (Certificate of Survey)

## a. Forbes (Elgin &amp; Virginia) Family Transfer

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report.

Questions from Commission

Public Comment

James McCubbin questioned the applicant, Elgin Forbes

Questions from Commission

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the request by Elgin and Virginia Forbes to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

6. HEARING (continued from December 2, 2009)

## a. Petition to Vacate a Plat or Portion of a Plat: Kahle Lots Subdivision, Lot 2C (Mullan Road, West of Primrose)

Chair Michele Landquist opened the hearing.

James McCubbin reviewed the hearing from December 2, 2009 (staff report, James McCubbin letter).

Questions from Commission

Applicant's representative presentation, Ken Jenkins (handout)

Kim Kahle, applicant

Colleen Dowdall, attorney for applicant

Questions from Commission

Chair Michele Landquist comment

Public Comment

Commissioner Jean Curtiss comment

Commissioner Bill Carey comment

Staff comment, James McCubbin

Questions from Commission and Staff comment, James McCubbin

Colleen Dowdall and Commissioner Jean Curtiss

Staff comment, James McCubbin and Colleen Dowdall

Commissioner Jean Curtiss and Colleen Dowdall

Chair Michele Landquist comment and Colleen Dowdall

Staff comment, James McCubbin and Colleen Dowdall

Commissioner Jean Curtiss comment

Commissioner Bill Carey comment

Public Comment

Executive Session

Commissioner Bill Carey comment

Commissioner Jean Curtiss comment

Staff comment, James McCubbin and Commissioner Jean Curtiss

Chair Michele Landquist comment

Commissioner Jean Curtiss comment

Commissioner Bill Carey comment

Commissioner Bill Carey made a motion that the Board of County Commissioners deny the petition to vacate a portion of the Kahle Lot Subdivision for lack of jurisdiction to consider the request. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 2-1, with Chair Michele Landquist opposed.

7. HEARING (continued from December 16, 2009)

## a. Proposed Precinct &amp; Polling Place Consolidation

Chair Michele Landquist opened the hearing.

Vickie Zeier reviewed the staff report and presented the new precinct and polling places proposal. (PowerPoint)

Public Comment

Gladys Hardin

John Bacino

Aaron Klahn (written comment)

Marty Onashock [phonetic]

Renee Mitchell  
 Dick Haines  
 Jason Wiener  
 Cathie Cichosz  
 Duane Peterson  
 Dale Mahlum  
 Questions from Commission  
 John Bacino  
 Staff comment, Vickie Zeier  
 Commissioner Jean Curtiss comment and Staff comment, Vickie Zeier  
 Questions from Commission  
 Public Comment  
 Executive Session  
 Staff comment, Vickie Zeier  
 Commissioner Jean Curtiss clarification  
 John Bacino  
Commissioner Bill Carey made a motion that the Board of County Commissioners approve Proposal #2 from Vickie Zeier with the provision that there be a relocation of Precincts 94 and 95 to the library. Commissioner Jean Curtiss comment. Commissioner Jean Curtiss seconded the motion. Chair Michele Landquist comment. The motion carried on a vote of 3-0.

## 8. OTHER BUSINESS

## 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:05 p.m.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated January 14, 2010:

- 1) Denying request from Carol Brett, Missoula, to waive penalty/interest for 2008/2<sup>nd</sup> half payment for Taxpayer ID #5823495.
- 2) Denying request from Brad Porch, Missoula, for refund of mobile home taxes paid for Taxpayer ID #90426010.
- 3) Approving request from Anna Marie Harrison, Bonner, to remove Greenough Potomac Fire Service fee for Taxpayer ID #90147150.
- 4) Approving request from LaLene Foster, Missoula, to refund motor vehicle taxes paid in error for vehicle #1FTPS242XWHB67251.
- 5) Denying request from Linda Kammerer, Missoula, to delete 2009 tax bill for Taxpayer ID #90426970.
- 6) Approving request from Kristin Janis, Bozeman, to refund motor vehicle taxes paid in error for plate #4C3360E.
- 7) Denying request from Robert Deschamps IV, Missoula, to waive penalty/interest/costs re: assignment for Taxpayer ID #40904.
- 8) Approving request from Michael Wellert, Missoula, to refund motor vehicle taxes paid in error for vehicle #1J4GW48N74C404531.
- 9) Approving request from Dave/Romelle Keltz, Missoula, to refund 2005-2008 incorrectly assessed property taxes for Taxpayer ID #6000046.
- 10) Denying request from Linda Faulkner, Missoula, to not levy lien against property or allow separate payments for Taxpayer ID #5803735.
- 11) Denying request from Jeff Aresty/Seeley-Swan Hospital Dist., to waive penalty/interest for 2008/2<sup>nd</sup> half payment for Taxpayer ID #3297407.
- 12) Approving request from Lex Herndon, Huson, to waive penalty/interest for Taxpayer ID #920307.
- 13) Denying request from Robert Vacek, Lolo, to waive penalty/interest for 2009/1<sup>st</sup> half payment for Taxpayer ID #5822064.
- 14) Approving request from Scott Beach, Missoula, to refund 2005-2008 incorrectly assessed property taxes for Taxpayer ID #1187403.
- 15) Approving request from Erik Gullikson, Seeley Lake, for refund of Seeley Lake Refuse District Fees for Taxpayer ID #5843504.
- 16) Denying request from Kathy Witkowsky, Missoula, to waive penalty/interest for 2009/1<sup>st</sup> half payment for Taxpayer ID #1374000.
- 17) Denying request from Geotest LLC, Missoula, to waive penalty/interest for 2009/1<sup>st</sup> half payment for Taxpayer ID #363009.
- 18) Approving request from Katy VanderZwaag, Huson, to refund property taxes paid in error.
- 19) Approving request from Dave Larsen/Dale Harris, Missoula, to refund 2005-2008 incorrectly assessed property taxes for Taxpayer ID #3953704.

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- 20) Denying request from Liz Gupton/Mary Peterson, Missoula, to waive penalty/interest for 2009/1<sup>st</sup> half payment for Taxpayer IDs #1767505, 1766407, & 1766503.
- 21) Approving request from Steve Kelley, Missoula, to refund motor vehicle taxes paid in error for vehicle #s AA0284306, AA0284284 & AA0284261.
- 22) Denying request from Kaitlyn Rocco, Missoula, to refund paid motor vehicle taxes/fees.

**THURSDAY, JANUARY 14, 2010**

BCC met in regular session; all three present. Evening: BCC/West Valley Community Council held Town Hall Meeting at Frenchtown High School to discuss Smurfit-Stone closure.

**ADMINISTRATIVE MEETING**

Board Appointments - BCC made following appointments to Missoula Consolidated Planning Board for three-year terms (1/1/10 – 12/31/12): 1) Jennifer Clary – reappointed as Regular Member; 2) Tim Ibey – reappointed as Regular Member; and 3) Carol Evans – appointed as Alternate Member.

Resolution No. 2010-003 – BCC signed, dated January 14, 2010. Budget Amendment to transfer \$875,688 from Workers comp cash account to trust account with DA Davidson (for FHLB E-Note). For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2010-004 – BCC signed, dated January 14, 2010. Budget Amendment for PHC misc. transfers of \$498,227 for funding of new Medicaid oversight program. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Letter – BCC signed, dated January 12, 2010. To John Rogers, US Economic Development Administration, Helena, supporting MCDCC's proposal for EDA Economic Adjustment Program for Feasibility Study for mills in Missoula County/other mills across the state.

Additional discussion item(s): Draft letter in response to request from Swan Valley Community Council re: Secession.

**FRIDAY, JANUARY 15, 2010**

BCC met in regular session; all three present.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

**MONDAY, JANUARY 18, 2010**

**COURTHOUSE WAS CLOSED FOR THE MARTIN LUTHER KING, JR. HOLIDAY**

**TUESDAY, JANUARY 19, 2010**

BCC met in regular session; all three present. Late morning: BCC accompanied Susan Hintz on Annual Detention Center Tour.

Planning Status Meeting – BCC and OPG Staff. Agenda: 1) Public Comment; and 2) Golden West No. 1, Lot 20 Subdivision (Final Plat Submittal Extension Request) (*action*).

Letter – BCC signed. Dated January 25, 2010 to John/Jodi Monahan, approving one-year extension of final plat submittal deadline for Golden West Addition, Lot 20 Subdivision. New deadline: February 20, 2011.

Replacement Warrant - ML signed. Jeri Schneider, Missoula, Principal for MCPS Warrant #28-186553, issued June 20, 2008 on County Payroll Fund. Amount/\$319.67 (for wages). Warrant not received in mail; no bond of indemnity required.

**ADMINISTRATIVE MEETING**

County Payroll Transmittal Sheet – BCC signed. Pay Period: 02/CY2010 - Pay Date/January 15, 2010. Total Payroll/\$1,238,984.82. Document to County Auditor.

Contract – ML signed. #210060 between Missoula City-County Health Dept. and MT DEQ for \$2,300 funding for local radon outreach/public education for FY2010. Term: January 19-June 30, 2010. Two originals to Julie Mohr/Health Dept.

Agreement – ML signed. #510040 between County and MT DEQ for \$5,000 funding for public water supply inspections for 2<sup>nd</sup> half of FY2010 (to June 30, 2010). Two originals to Julie Mohr/Health Dept.

Resolution No. 2010-005 – BCC signed. Dated January 19, 2010: Resetting County Voting Precincts affected by consolidation of precincts and reduction of polling places. All precinct numbers change with the exception of precincts 1-3. [Map available on County website; or available for review at Elections Office.]

Additional discussion item(s): None.

**WEDNESDAY, JANUARY 20, 2010**

BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Request – BCC reviewed/approved expenditure of up to \$500 from County's CDBG Program Income Account for 2010 Project Homeless Connect event (for facility cleaning fee costs associated with IDs/ Driver's Licenses/Birth Certificates. Original to Melissa Gordon/OPG.

Resolution No. 2010-006 – ML signed. Dated January 20, 2010: Relating to Recovery Zone Bond ("RZB") Project on behalf of Paul/Susan Tiedee and Christian/Shelli Kenworthy to purchase/ refurbish/expand property at 3020 S. Reserve Street ("Thurman's"). Project cost: \$3,640,000 (of which \$3,140,000 proposed to come from RZB issuance. Public Hearing noticed for February 17, 2010. Four originals to Dorsey, Whitney.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Many boxes of Personnel misc. files (6/30/81-12/31/2006). To M. Porter/Records.

Additional discussion item(s): 1) Review BCC representations on Boards/Commissions; 2) Update on recent Board/Commission meetings.

**PUBLIC MEETING – JANUARY 20, 2010****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: None.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****e. Weekly Claims List - \$619,012.95**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$619,012.95. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**f. Public Announcements****5. OTHER BUSINESS****6. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:33:38.

**THURSDAY, JANUARY 21, 2010**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Agreement – ML signed. Between County and Interstate Alarm Company to re-start/continue alarm service at County's leased office building in Seeley Lake. Amount/\$25 per month monitoring/testing fee. Original to Steve Ruguleiski/Sheriff's Dept.

Additional discussion item(s): Letter to Bankruptcy Court re: Smurfit-Stone [see 1/22 Journal entry].

**FRIDAY, JANUARY 22, 2010**

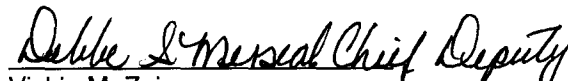
BCC met in regular session; all three present. Afternoon:

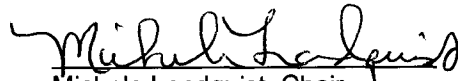
Indemnity Bond – ML signed. Kathy Purandozzi, Missoula, Principal for MCPS Warrant #186963, issued June 27, 2008 on County. Payroll Fund. Amount/\$48.98 (for wages). Warrant lost.

Letter – BCC signed, dated January 21, 2010. To Judge Brendan L. Shannon, US Bankruptcy Court, Wilmington, DE, commenting on Smurfit Stone bankruptcy proceedings and urging swift resolution to outstanding debts.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed:

- 1) Cerese Parker Court Reporter Notes (4/23/99-12/17/99).
  - 2) Judge Henson Court Reporter Notes (5/1/99-9/30/99).
  - 3) Misc. Civil/Criminal/Small Claims Cases and Tickets (1/1/98-12/29/99).
- To M. Porter/Records.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, JANUARY 25, 2010**

BCC met in regular session; quorum present. JC on vacation through Tuesday, February 2<sup>nd</sup>.

Indemnity Bond – ML signed. World Book, Inc., Chicago, IL, Principal for Missoula Public Library Warrant #30141276, issued September 23, 2009 on County. 2220 Fund. Amount/\$2,088.14 (for online reference library). Warrant lost.

Indemnity Bond – ML signed. Quality Supply, Missoula, Principal for Facilities Management & Health Warrant #30137234, issued June 25, 2009 on County 1000 & 2273 Fund. Amount/\$249.23 (for misc. supplies). Warrant lost.

Replacement Warrant - ML signed. Loryn Zerr, Missoula, Principal for MCPS Warrant #28-180646, issued December 21, 2007 on County Payroll Fund. Amount/\$59.63 (for wages). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - ML signed. Doris Balko, Missoula, Principal for MCPS Warrant #28-185457, issued June 6, 2008 on County Payroll Fund. Amount/\$253.58 (for wages). Warrant not received in mail; no bond of indemnity required.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Fire Review Service Fees (Res. #2009-093)/Clarification of Applicability (*info*); 3) OPG Director's Update.

**TUESDAY, JANUARY 26, 2010**

BCC met in regular session; quorum present. JC on vacation through Tuesday, February 2<sup>nd</sup>.

Plat – ML, BC signed. Owners-Bernard/Gloria Weisgerber. Blue Heron Addition, Phase 1, located in NW¼ of Section 23, T 15 N, R 22 W, PMM, Missoula County. Total area/3.54 acres.

**ADMINISTRATIVE MEETING**

Resolution No. 2010-002 (amended) – BCC signed, dated January 26, 2010: Setting the 2010 Daily "Rate of Credit" for Incarceration at \$106.86 per day. [Note: Resolution originally approved January 5, 2010 at \$100 per day, but was amended/not filed. Same Resolution number used for signature on this date.]

Grant Contract – ML signed. #RIT-10-8696 between Missoula County and MT DNRC to receive \$200,800 in Reclamation/Development grant funding for Mattie V Creek & Housum Placer mine reclamation/stream restoration projects in Ninemile Creek watershed. Term: FYs 2010/2011. Originals to Sarah Ritchey/RI for further signatures/handling.

Addendum #1 – ML signed. To Task Order #10-07-5-21-060-0 between County and MT DPHHS for Breastfeeding Peer Counselor Program. Amendment adds \$2,500 to cover staff time, and travel/lodging for Spring Public Health Meeting. Originals to Julie Mohr/Health Dept.

Additional discussion item(s): Big Sky Park Stewardship Committee membership.

**WEDNESDAY, JANUARY 27, 2010**

BCC met in regular session; quorum present. Morning: ML/BC met with Mayor Engen, City Council, et al for Missoula City/County Elected Officials Policy Meeting re: Planning & Grant Services Interlocal Agreement. JC on vacation through Tuesday, February 2<sup>nd</sup>.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Letter – BCC signed letter, dated January 27, 2010 to Mary Sexton, DNRC, re: Lewis & Clark Subdivision Public Water System, requesting (for 2<sup>nd</sup> time) a meeting to resolve this matter.

Letter – BCC signed letter, dated January 27, 2010 to Marcy Allen, BREDD, Inc., Missoula, supporting Trade Adjustments Strategy Amendment authored by BREDD (for inclusion in CEDS).

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Sheriff Dept. Day Book Sheets (3/1/2001-9/30/2001). To M. Porter/Records.



MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Justice Court 2 Monthly Reports & Receipts (1/1/2000-12/31/2001). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Financial Services 1099 Tax Forms/W-2 Forms (2004). To M. Porter/Records.

Additional discussion item(s): None.

#### **PUBLIC MEETING – JANUARY 27, 2010**

#### **1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning and Grants Planner John Newman, and Office of Planning & Grants Principal Planner Denise Alexander.

#### **2. PLEDGE OF ALLEGIANCE**

#### **3. PUBLIC COMMENT**

#### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

##### **g. Weekly Claims List - \$1,461,638.70**

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,461,638.70. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

##### **h. Public Announcements**

#### **5. HEARING**

##### **a. Clarify the Application of Fees Related to Subdivision Fire Review Services**

Chair Michele Landquist opened the hearing.

John Newman presented the staff report.

Public Comment

Ken Jenkins

Kim Bennet-Buchanan

John Newman, Commissioner Jean Curtiss email

Questions from Commission

Staff comment, Denise Alexander

Ken Jenkins

Staff comment, James McCubbin

Questions from Commission

Staff comment, James McCubbin

Chair Michele Landquist

Staff comment, James McCubbin, process, and Chair Michele Landquist

Denise Alexander and Chair Michele Landquist

Ruth Link

Public Comment

Chair Michele Landquist and Commissioner Bill Carey

Staff comment, James McCubbin

Executive Session

Commissioner Bill Carey comment

Commissioner Bill Carey made a motion that the Board of County Commissioners adopt the 2010 Missoula County Fire Service Review Fee Resolution and Schedule, Attachments A and B as proposed. Chair Michele Landquist no second. Chair Michele Landquist comment. Commissioner Bill Carey repeated the motion. Staff comment, James McCubbin, recommendation. Motion died for lack of a second.

Chair Michele Landquist comment

Chair Michele Landquist, hearing continued to February 3

#### **6. OTHER BUSINESS**

#### **7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:01 p.m.

<b>THURSDAY, JANUARY 28, 2010</b>
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BCC met in regular session; quorum present. Noon: BC attended MIM Transportation Best Practice Awards Luncheon, held at St. Patrick Hospital. JC on vacation through Tuesday, February 2<sup>nd</sup>.

Indemnity Bond – ML signed. Austin (Kevin) Weiss, Missoula, Principal for Claims Dept. Warrant #27-20852, issued December 2, 2009 on County Student Fund. Amount/\$90.00 (for refunds). Warrant lost.

Indemnity Bond – ML signed. Genevieve Newell, Missoula, Principal for Hellgate Student Funds Warrant #27-173655, issued November 29, 2007 on County Student Fund. Amount/\$10.00 (for line judge). Warrant lost.

ADMINISTRATIVE MEETING


Letter Agreement – ML & DB signed, dated January 28, 2010. Memorandum of Understanding between County and PHC to memorialize repayment (three equal payments over three years) of \$728,578 advanced to PHC for purchase of Creamery Building. One original to Kim Mansch/PHC.

Letter – BCC signed, dated January 28, 2010. To Leslie Weldon/Northern Region One, USFS, Missoula, supporting The Nature Conservancy's application for MT Legacy Project funding from the Land/Water Conservation Fund for acquisition of former Plum Creek Timber land. Two originals to Sarah Richey.

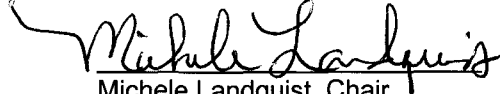
Additional discussion item(s): None.

FRIDAY, JANUARY 29, 2010
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BCC met in regular session; quorum present. Afternoon: BC/ML met with Mayor Engen re: Smurfit-Stone closure. JC on vacation through Tuesday, February 2<sup>nd</sup>.



Vickie M. Zeier  
Clerk & Recorder



Michele Landquist, Chair  
BCC

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: FEBRUARY, 2010

BCC = BOARD OF COUNTY COMMISSIONERS

ML = Commissioner Michele Landquist, Chair

JC = Commissioner Jean Curtiss

BC = Commissioner Bill Carey

The following Claims Lists were signed during the month of FEBRUARY 2010:

Date Signed	Claims List Date	Who signed	Amount
February 1, 2010	January 28, 2010	ML, BC	\$26,849.50
			\$225,892.68
February 1, 2010	February 1, 2010	ML, BC	\$580.00
February 2, 2010	February 2, 2010	ML, BC	\$724.62
			\$7,925.14
			\$9,647.18
			\$35,680.59
February 3, 2010	February 2, 2010	BCC	\$3,221.09
			\$20,829.74
			\$12,979.66
			\$153,620.83
February 3, 2010	February 3, 2010	BCC	\$8,133.08
			\$23,183.84
			\$52,704.36
			\$6,990.68
February 4, 2010	February 4, 2010	BCC	\$2,411.15
February 10, 2010	February 9, 2010	BCC	\$66,776.80
			\$17,048.02
			\$16,579.26
February 10, 2010	February 9, 2010	BCC	\$1,161,192.89
February 10, 2010	February 9, 2010	BCC	\$5,277.63
February 11, 2010	February 10, 2010	JC, BC	\$41,467.32
			\$32,936.72
			\$30,488.42
			\$65,529.60
February 12, 2010	February 11, 2010	ML, BC	\$394.65
February 16, 2010	February 11, 2010	BCC	\$135,670.77
			\$48,947.02
			\$41,409.54
February 16, 2010	February 16, 2010	BCC	\$18,677.20
			\$35,385.05
February 17, 2010	February 16, 2010	BCC	\$39,334.04
			\$297,300.22
February 17, 2010	February 17, 2010	BCC	\$16,682.79
February 17, 2010	February 17, 2010	BC, JC	\$9,201.15
			\$11,339.68
			\$22,996.22
			\$31,904.95
February 18, 2010	February 18, 2010	BC, JC	\$3,239.76
			\$9,448.59
February 24, 2010	February 23, 2010	BCC	\$8,747.74
			\$6,499.31
			\$2,342.86
			\$110,754.60
February 24, 2010	February 24, 2010	BCC	\$115,083.47
			\$20,137.13
			\$5,218.33
			\$18,848.50
February 26, 2010	February 25, 2010	BCC	\$50,307.17
			\$15,021.45
February 26, 2010	February 26, 2010	ML, JC	\$3,162.90

All Claims Lists were returned to the Accounting Department.

**MONDAY, FEBRUARY 1, 2010**

BCC met in regular session; quorum present. JC on vacation through Tuesday, February 2<sup>nd</sup>.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Blue Heron Estates Subdivision and Planned Variation (*info only*).

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending January 31, 2010.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending January 31, 2010.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 3/CY2010 - Pay Date/January 29, 2010. Total Payroll/\$1,209,574.56. Document to County Auditor.

**TUESDAY, FEBRUARY 2, 2010**

BCC met in regular session; quorum present. JC on vacation through Tuesday, February 2<sup>nd</sup>.

Indemnity Bond – ML signed. Maria Pace, Boulder, CO, Principal for MCPS Warrant #27207468, issued November 11, 2009 on County Misc. Federal Fund. Amount/\$588 (for Honorarium). Warrant lost.

Indemnity Bond – ML signed. Raina Walther, Missoula, Principal for Hellgate Student Funds Warrant #27-173666, issued November 29, 2007 on County Student Fund. Amount/\$10 (for line judging). Warrant destroyed.

**ADMINISTRATIVE MEETING**

Task Order – ML signed. #10-07-4-11-045-0 to Missoula City-County Unified Gov't Master Contract between County and MT DPHHS for period July 1, 2005-June 30, 2012 (Tuberculosis Program). Provides supplemental funding for period January 1-December 31, 2010 (\$5,000; \$2,000 for travel/training). Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Resolution No. 2010-007 – BCC signed, dated February 2, 2010. Budget Amendment for OPG to account for award of Neighborhood Stabilization Program funds (\$22,317.82) to city of Missoula/administered by OPG. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Budget Transfers – BCC signed, dated January 12, 2010. Four PHC Transfers: Control Nos. 10-009, 10-010, 10-011, and 10-012, to modify PHC's Budget by creating project codes for each of four separate grant programs.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Nursing. Files: Blue Sheets/Health Dept. Field/Targeted Case Management. (1/1/2000-12/31/2001). To M. Porter/Records.

Additional discussion item(s): Fair update (w/Eunice Misby).

**WEDNESDAY, FEBRUARY 3, 2010**

BCC met in regular session; all three present.

Replacement Warrant - ML signed. Bonnie Brady, Missoula, Principal for MCPS Warrant #28-181978, issued February 15, 2008 on County Payroll Fund. Amount/\$32.25 (for wages). Warrant not received in mail; no bond of indemnity required.

Indemnity Bond – ML signed. Peggy Pearce, Missoula, Principal for MCPS Warrant #186963, issued April 18, 2008 on County Payroll Fund. Amount/\$106.20 (for wages). Warrant lost.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Memo – BCC approved/distributed. To Department Heads from BCC: *Improving Communications to Rural Areas*, noting important role of Community Councils and highlighting new public notice requirements.

Resolution No. 2010-008 – BCC signed, dated February 3, 2010: Enacting Fire Review Service Fees (per Appendix A).

Additional discussion item(s): 1) Secure Storage Facility; and 2) Fair Update.

**PUBLIC MEETING – FEBRUARY 3, 2010****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, Survey Technician Steve Smith, Office of Planning & Grants Principal Planner Denise Alexander, Office of Planning & Grants Planner John Newman, Office of Planning & Grants Planner Tim Worley, and Office of Planning and Grants Floodplain Administrator Todd Kietz arrived at 3:18 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

Christina Cox  
John Hendrickson  
Bob Schweitzer  
Peggie Morrison

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

a. Weekly Claims List - \$607,455.22

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$607,455.22. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

b. Public Announcements

**5. HEARING**

a. Petition to Abandon a Portion of Lewis & Clark Drive (a/k/a the Lolo to Lolo Hot Springs Road) - North of Highway 12 (Holt property)

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Kim Cox verified the petition.

Public Comment

Jack Jenks, petitioner

Frank Miller and Commissioner Jean Curtiss

James McCubbin, Frank Miller, and Commissioner Jean Curtiss

Chair Michele Landquist and Frank Miller

Jack Jenks

James McCubbin and Jack Jenks

Chair Michele Landquist, process

Public Comment

Frank Miller

Chair Michele Landquist

Diana Mitchell

Chair Michele Landquist and Diana Mitchell

Commissioner Jean Curtiss

Jack Jenks

Chair Michele Landquist

Commissioner Jean Curtiss and James McCubbin

Public Comment

Frank Miller

James McCubbin (email from Lisa Moisey, County Parks)

Questions from Commission

Staff comment, James McCubbin

Chair Michele Landquist comment

Set site visit, Commissioner Bill Carey with Greg Robertson, Monday, February 8 at 1:00 p.m.

Hearing continued to February 10, 2010

Chair Michele Landquist moved Subdivision Fire Review Services Fees up on the agenda

**7. HEARING (continued from January 27, 2010)**

a. Clarify the Application of Fees Related to Subdivision Fire Review Services (verbatim transcription)

Chair Michele Landquist opened the hearing.

John Newman reviewed the staff report, revised resolution.

Commissioner Jean Curtiss, comment

James McCubbin, process

Public Comment

Ken Jenkins and Commissioner Jean Curtiss

Staff comment, James McCubbin

Paul Rosignol

Chair Michele Landquist

Staff comment, Greg Robertson

Discussion

Tom Allsaker

Discussion

Tom Allsaker  
 Discussion  
 Ken Jenkins  
 Staff comment, James McCubbin  
 Discussion

BOOK 010 PAGE 0106

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners adopt the resolution clarifying the application of fire review service fees. Commissioner Jean Curtiss seconded the motion. Chair Michele Landquist comment. The motion carried on a vote of 3-0.

6. HEARING

- a. Blue Heron Estates Subdivision (16 lots on 75.01 acres) - Lavoie Lane/Mullan Road/Grass Valley Area

Chair Michele Landquist opened the hearing.

Janet Rhoades presented the staff report. (PowerPoint)

Developer's representative presentation, Ron Ewart

Public Comment

Bob Zimmerino

Chair Michele Landquist and Bob Zimmerino

Questions from Commission

Staff comment, Janet Rhoades

Chair Michele Landquist and Janet Rhoades

Public Comment

Bill Vaughn and Discussion

Staff comment, Janet Rhoades

Staff comment, James McCubbin

Ron Ewart and Discussion

Public Comment

Jim Cuskar

Jim Brown, Five Valleys Audubon Society

Staff comment, Todd Klietz

Commissioner Jean Curtiss and Todd Klietz

Staff comment, Janet Rhoades

Commissioner Jean Curtiss

Executive Session

Commissioner Bill Carey

Staff comment, Janet Rhoades and Commissioner Jean Curtiss

Staff comment, Janet Rhoades

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Blue Heron Estates Planned Variation based on the findings of fact in the staff report, including the memo today that makes amendments to Conditions 25 and 35, and as Planning Board amended Condition 36 and 12. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Blue Heron Estates Subdivision based on the findings of fact in the staff report and subject to the recommended conditions of approval as amended today. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

8. OTHER BUSINESS

9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:33 p.m.

THURSDAY, FEBRUARY 4, 2010

BCC met in regular session; all three present. Evening: BCC held Public Hearing re: Seeley Lake Regional Land Use Plan, held at Seeley Lake Elementary School.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending January 31, 2010.

ADMINISTRATIVE MEETING

Board Appointments - BCC made appointed Laura Bakker as a member of the Big Sky Park Stewardship Committee to fill an unexpired term (for Paul Meisner) to March 31, 2010.

Resolution No. 2010-009 - BCC signed, dated February 4, 2010. Applying Blue Heron Estates Planned Variation to the C-A3 (Residential) Zoning District on Blue Heron Estates Subdivision, located on Lavoie Lane in Council Grove/Grass Valley Area.

Additional discussion item(s): 1) Fair Update; 2) Airport TSA "Opt-Out" Provisions [not discussed]; and 3) Possible location of Marijuana Business in Lolo.

**PUBLIC MEETING – FEBRUARY 4, 2010 (6pm, Seeley Lake)****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 6:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, and Rural Initiatives Senior Planner Pat O'Herren.

**2. PLEDGE OF ALLEGIANCE****3. HEARING**

- a. Seeley Lake Regional Land Use Plan  
Chair Michele Landquist opened the hearing.  
Nancy Heil presented the staff report.  
Public Announcements  
Public Comment

Marianne Morin	Jerry O'Connell
Nathan Bourne	Kathy White
Tim Love	Bob Wasson
Ken Dborak	Joan Bishop
Bruce Bourne	Beth Hutchinson
Joanne Wallenburn	Julie Hacker
Megan Birzell	Cliff Hawkins
Richard White	Shannon Connolly
John Richards	Jan Guelff
Joanie Reinoehl	Gail Vannoy
Tom Morris	Land Lindbergh
Scott Tomson	John Haufler
Jim Moose	Jack Mulcare
Bruce Rieman	Bill Swain
Dick Ainsworth	Mary Gravning
Bill Campbell	Janet McMillan
Kathleen Sims	Addrien Marx
Aaron Peterson	Jeff Wilson
John Ployhar	Jack Greenwood
Wayne Cahoon	Ron Cox
Juanita Vero	Kevin Wetherell
Tom Vannoy	Laree Morris
David Whitesit	

**5. RECESS - The meeting was recessed at 8:54 p.m.****FRIDAY, FEBRUARY 5, 2010**

BCC met in regular session; all three present. Mid-Year Budget Reviews held in morning and afternoon.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

**MONDAY, FEBRUARY 8, 2010**

BCC met in regular session; all three present.

Site Visit: JC accompanied Greg Robertson on site visit to Lewis & Clark Drive.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Leadore Hills Plat Adjustment.

Letter – BCC signed, dated February 22, 2010 to Dennis/Lisa Neilsen, Frenchtown, conditionally approving plat adjustment for Leadore Hills Subdivision (subject to conditions).

**TUESDAY, FEBRUARY 9, 2010**

BCC met in regular session; all three present. Afternoon: BCC held Mid-Year Budget Reviews.

Indemnity Bond – ML signed. Michael Beckel, Missoula, Principal for PHC Warrant #30147386, issued January 25, 2010 on County 2274 Fund. Amount/\$500 (for services under contract). Warrant lost.

**ADMINISTRATIVE MEETING**

Board Appointments - BCC made following appointments to Marijuana Initiative Oversight Committee for two-year terms (2/7/10 – 2/7/12): 1) Angela Goodhope (County Resident); 2) Mike Bailey (Criminal Defense Attorney); 3) John Masterson (Civil Liberties Advocate); and 4) Steve Lohning (Drug Abuse/Prevention Counselor).

Request – BCC approved grant proposal (\$300,000+) to US DOJ and Substance Abuse/Mental Health Services Administration's Center for Substance Abuse Treatment by Missoula Co-Occurring Treatment Court.

Resolution No. 2010-010 – BCC signed, dated February 10, 2010. Reimbursement Resolution relating to qualifying up to \$410,000 and financing of proposed Open Space Project (East Mount Jumbo/Marshall Canyon Property), and establishing compliance with Reimbursement Bond Regulations under Internal Revenue Code.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Justice Court 2 Files: Civil/Criminal/Small Claims Cases & Tickets. (1/1/1998-12/31/1999). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Treasurer Files: Real Estate Tax Receipts/Correspondence, etc. (23 boxes) (1/1/1979-12/31/2007). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Motor Vehicle Files: Computer Reports, Correspondence, etc. (21 boxes) (1/1/2005-12/31/2007). To M. Porter/Records.

Letter – BCC signed, dated February 8, 2010. To Winds of Change Mental Health Center, thanking them for work they do in our community. BCC cannot help financially, but will support legislative issues that can.

Additional discussion item(s): BCC will participate in Meals on Wheels *March for Meals* Campaign.

<b>WEDNESDAY, FEBRUARY 10, 2010</b>
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BCC met in regular session; all three present.

Replacement Warrant - ML signed. Norman, Seeley Lake, Principal for Motor Vehicles Warrant #11932, issued February 18, 2009. Amount/\$15.00 (for overpayment of plate transfer fees). Warrant not received in mail; no bond of indemnity required.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Custodial Agreement – ML signed, dated February 10, 2010. Between County and US Bank National Association for County Investments currently held at DA Davidson. Two originals to CFO for further signatures/handling.

Use Agreement – BCC signed, dated February 11, 2010. Between County and All-Maggots Rugby Football Club for continued use/maintenance of Rugby field at Fort Missoula. Term: 10 years. No financial implication. One original to Maggots.

Petition – ML signed, dated February 10, 2010. For Renewal of the Business Improvement District in Downtown Missoula. Adds the two PHC buildings (401 W. Railroad and 323 W. Alder) for inclusion in BID. Cost: Up to \$300 per year. Originals to Rod Austin/BID.

Separation Agreement – BCC signed, dated February 10, 2010. Between County and G. Scot Meader (Fair Manager/resigned January 29, 2010), providing payment for duration of employment agreement effective through February 7, 2011. Amount/\$63,801.60. Two originals to Steve Johnson/HR.

Additional discussion item(s): Fair update.

#### PUBLIC MEETING – FEBRUARY 10, 2010

##### **1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, and County Parks Coordinator Lisa Moisey.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

Curt Belts, Missoula Rural Fire District

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### **c. Weekly Claims List - \$1,346,887.00**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,346,887.00. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

###### **d. Public Announcements**



**5. BID AWARD (Public Works)**

- a. Construction of Mullan Road Bike/Pedestrian Path  
Chair Michele Landquist opened the hearing.  
Greg Robertson presented the staff report.  
Questions from Commission  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the contract to Knife River in the amount of \$485,375.00 contingent upon concurrence by the Montana Department of Transportation and Federal Highway Administration [for construction of the Mullan Road Trail Project]. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.  
Public Comment

**6. DECISION (from February 3, 2010 Hearing)**

- a. Petition to Abandon a Portion of Lewis & Clark Drive (a/k/a the Lolo to Lolo Hot Springs Road) - North of Highway 12 (Holt Property)  
Chair Michele Landquist opened the hearing.  
Greg Robertson presented the viewer's report. (staff report)  
Questions from Commission  
Chair Michele Landquist comment  
Questions from Commission  
Public Comment  
    Jack Jenks, petitioner  
    Staff comment, Lisa Moisey  
    Chair Michele Landquist comment  
    Executive Session  
        Commissioner Bill Carey comment  
        Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the viewer's report and follow the recommendations in that report [grant the vacation request for all encumbered properties west of Parcel "C" of COS 2441 as shown on the petition; deny the request to vacate the right of way across Parcel "C" of COS 2441; and in exchange for vacating right of way across Parcels "A" and "B" of COS 2441, the proponent of the vacation has agreed to provide a bicycle/pedestrian access easement (that has a width satisfactory to the Public Works Director) over and across Parcel "B" along its east boundary from Highway 12 to it's intersection with the unvacated portion of Lewis & Clark Drive and Lolo to Lolo Hot Springs Road as depicted on the petition and survey. Satisfactory evidence shall be provided by the proponent that an easement has been recorded meeting these requirements prior to this vacation becoming effective]. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**7. OTHER BUSINESS****8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:53 p.m.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated February 11, 2010:

- 1) Approving request from Shelley Dunlap, Frenchtown, to refund penalty/interest paid for tax years 2005/2006/2007 for Taxpayer ID #3773808.
- 2) Denying request from Tom Ide, Greenough, to waive penalty/interest for Taxpayer ID #1054209.
- 3) Approving request from Suzanne Larew, Missoula, to refund (with contingency) motor vehicle taxes paid in error for vehicle #1618359.
- 4) Approving request from Nancy Grewatz, Missoula, to refund motor vehicle taxes paid in error for vehicle #2136172.
- 5) Denying request from Suzanne Matthews, Missoula, to waive penalty/interest for Taxpayer ID #90131530.
- 6) Denying request from Peter Mortel, Missoula, to waive penalty/interest for Taxpayer ID #90001200.
- 7) Approving request from Edward Treadway, Missoula, to refund motor vehicle taxes paid in error for vehicle #8668438.
- 8) Denying request from Tim Skofca/Marta Meengs, Missoula, to refund taxes paid in full for Taxpayer IDs #496421 & 1318700.
- 9) Denying request from Alice Gloria, Missoula, to waive penalty/interest for Taxpayer ID #90019300.
- 10) Denying request from Wade Frame, Polson, to waive penalty/interest for Taxpayer IDs #90124600 & 90139800.
- 11) Approving request from Sherene Petersen, Missoula, to refund (with contingency) motor vehicle taxes paid in error for vehicle #1472722.
- 12) Re: request from Maxine Doney, Arlee, to reduce previous years' taxes for Taxpayer IDs #3104107, 5904783, 506305 & 506407. BCC to forward her letter to DOR for review.

THURSDAY, FEBRUARY 11, 2010

BCC#010 PAGE 0110

BCC met in regular session; all three present. BCC held Mid-Year Budget Reviews in morning and afternoon.

**ADMINISTRATIVE MEETING**

Request – BCC approved interim \$100,000 CDBG Program Income loan to Mountain Home Montana to be used for construction of transitional housing for single-parent households. Original to Cindy Wulfekuhle/OPG.

Grant Application – BCC signed Non-Supplantation Letter (dated February 11, 2010), and ML signed MOU for County's *Rural Domestic Violence Program* (CFDA 16.549) application for FY10/FY11 submitted to OVAW/Office of Justice Programs. Budget estimate for one year: \$175,000-\$200,000. Originals to Shantelle for further signatures/handling.

Grant Application – ML signed signature page and BCC signed cover letter (dated February 19, 2010) for VOCA application to the MT Board of Crime Control for funds for continued implementation of Missoula Crime Victim Advocate Program. Budget estimate for one year: \$175,000-\$200,000. Originals to Shantelle/OPG for further signatures/handling.

Grant Application – ML signed signature page for a grant application (#10-05M) to the MT Board of Crime Control to help partially fund grants administrator position for initiatives recommended through JUST Response Program. Amount requested: \$13,706. Originals to Nancy Rittel/OPG for further signatures/handling.

Grant Application to OVAW/US DOJ – BCC signed Non-Supplantation and Certification Letters (dated February 11, 2010), for Community-Defined Solutions/Arrest Program (CFDA #16.590), and ML signed MOU for JUST Response Program. Budget estimate for two years: \$350,000-\$400,000. Originals to Kim Campbell for further signatures/handling.

Vendor Invoice – ML signed claim form for FY10 State Allocation of Funds for Junk Vehicle Fund Budget. Amount/\$134,236. Original to Jim Carlson/Health Dept. for further signatures/handling.

Letter – BCC signed, dated February 11, 2010 [signed February 16<sup>th</sup>]. To Forest Service Planning NOI c/o Bear West Company, Bountiful, UT, commenting on USFS NOI to prepare an EIS for a new USFS Planning Rule.

Additional discussion item(s): 1) Fair update; 2) Michele to attend Chamber Ad Hoc Board Meeting next Wednesday; and 3) update on recent Board/Commission Meetings attended.

**FRIDAY, FEBRUARY 12, 2010**

BCC met in regular session; quorum present. BC on vacation through Monday, February 15<sup>th</sup>.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 04/CY2010 - Pay Date/February 12, 2010. Total Payroll/\$1,187,599.63. Document to County Auditor.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Sheriff Detention files: copies of booking records (prior to 11/14/99). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Treasurer files: Dog Licenses/Undeliverable Tax Bills (2005-2008). To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Treasurer files: Deceased('03) & Patient Charts ('98). To M. Porter/Records.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

**MONDAY, FEBRUARY 15, 2010****COURTHOUSE WAS CLOSED FOR THE PRESIDENTS' DAY HOLIDAY****TUESDAY, FEBRUARY 16, 2010**

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Canyon Creek Village Phasing Plan Amendment (*action*); 3) Duffield Subdivision/Minor Final Plat adjustment (*action*).

Letter – BCC signed, dated March 3, 2010. To Perry Ashby/Westmont Builders, Inc. approving phasing plan amendments Phases 12-16 of Canyon Creek Village Subdivision. Plat approval expiration dates: Phase 12 (4/23/14); Phase 13 (4/23/15); Phase 14 (4/23/16); Phase 15 (4/23/17); Phase 16 (4/23/18). Last phases also subject to additional condition (#23) requiring ongoing weed management.

Letter – BCC signed, dated February 24, 2010. To Michael/Kathryn Duffield, approving minor final plat adjustment for Duffield Subdivision. Changes are to lot size/dimension to meet drainfield requirements.

Replacement Warrant - ML signed. Christine Crabb, Missoula, Principal for MCPS Warrant #28-178890, issued October 26, 2007 on County Payroll Fund. Amount/\$39.99 (for wages). Warrant not received in mail; no bond of indemnity required.

#### ADMINISTRATIVE MEETING

Contract – ML signed. Between Missoula City-County Health Dept. and Shodair Children's Hospital for continued funding to provide nutritional management of children with metabolic disease, and follow-up services by Registered Dietician. Amount/\$4,999. Term: January 1, 2010-June 30, 2011. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Contract – BCC signed, dated February 16, 2010. Between County (PHC) and Missoula Family Violence Council for Breast/Cervical Health Program Services. Amount/not to exceed \$40 per screening. Term: July 1, 2009-June 30, 2010. Three originals to PHC.

Contract – BCC signed, dated February 16, 2010. Between County (PHC) and DPHHS for HIV prevention services. Amount/\$28,163. Term: January 1, 2010-December 31, 2010. Three originals to PHC for further signatures/handling.

Amendment #2 – BCC signed. To agreement between County and WGM Group, Inc. for Wye Area Sewer Project RSID #8489. Amendment increases staffing for inspection oversight/quality assurance testing, and adds \$75,500 to contract. Total contract amount/\$1,089,440. One original to G. Robertson/Public Works.

Request – BCC approved request from Missoula City Parks/Friends of Pineview Park to use balance of Pineview RSID funds (minimum of \$21,883.92) for purchase of playground equipment for the park. Original to Lisa Moisey/County Parks.

Contract – BCC signed, dated February 16, 2010. Between County and Professional Consultants, Inc. for landscaping surveying in Parks 4, 5, 7, 8 & 12 and street medians – MDP. Amount/\$8,000. One original to Barb Martens/Projects.

Request – BCC approved request from County Parks Board to contribute \$150 to County Weed District's "Leave No Weeds" program. Original to Lisa Moisey/County Parks.

Board Appointment - BCC appointed Russ Lockner to fill Dale Jackson's unexpired term to December 31, 2011 on the Tax Appeal Board, effective immediately.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Finance/Accounting CY05 Payroll Records/Time Sheets. To M. Porter/Records.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Nursing 2000 Blue Sheets & Health Dept. 2000 Field files. To M. Porter/Records.

Additional discussion item(s): Recovery Zone Bonds.

#### **WEDNESDAY, FEBRUARY 17, 2010**

BCC met in regular session; all three present in morning. ML out of the office all afternoon.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Request – BCC approved request to re-program \$20,000 in Title III funds allocated to Frenchtown RFD from cost-sharing on a fuels mitigation project to application in the purchase of a wood chipper. Original to Bob Reid/ES.

Contract – ML signed, dated February 17, 2010. Between County (Western MT Fair 2011) and Michael Mezmer for entertainment (Michael Mezmer Comedy Hypnosis Show) at 2011 Fair. Term: 2 shows per day Tuesday-Saturday; one grand finale show on Sunday. Amount/\$4,675. One copy to Eunice Misby/Fair.

Contract – BCC signed, dated February 17, 2010. Between County (Western MT Fair 2011) and MT Clownworks (Tom Plovanic) for Curly's Funtastic KidZone/Uncle Curly the Clown during Fair August 10-15, 2010; August 9-14, 2011; and August 7-12, 2012. Amount/\$8,000 per year. One copy to Eunice Misby/Fair.

Letter – BCC signed, dated February 17, 2010. To MT Congressional Delegation (Baucus/Tester/Rehberg) supporting \$10 million in funding for national Community Forest and Open Space Conservation program.

Additional discussion item(s): 1) North Lolo Planning/Zoning Project; 2) Dischner/Mallard Estates (to be scheduled for upcoming Admin. Meeting w/Todd Kietz/Marnie McClain); 3) Fair update; and 4) JC will speak at *We Love Our Merchants* Recognition Reception.

**PUBLIC MEETING – FEBRUARY 17, 2010**

BOOK 010 PAGE 0112

**1. CALL TO ORDER**

Commissioner Bill Carey called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss and Commissioner Bill Carey. Absent: Chair Michele Landquist.

Staff Present: Deputy County Attorney James McCubbin and Chief Financial Officer Andrew Czorny.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****e. Weekly Claims List - \$456,183.92**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$456,183.92. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 2-0.

**f. Public Announcements****5. HEARING****a. Petition to Abandon a Portion of Woodworth Road (Emerald Lake Estates) - East of Salmon Lake**

Commissioner Bill Carey, hearing notification issues, postponed to March 10, 2010.

**6. HEARING****a. Proposal for Allocation of Recovery Zone Bonds (K & T Associates)**

Commissioner Bill Carey opened the hearing.

Andrew Czorny presented the staff report.

Paul Tiede

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the resolution attached to the staff report [entitled, "Resolution Relating to a Project on Behalf of Paul and Susan Tiede and Christian and Shelli Kenworthy and the Issuance of a Revenue Bond to Finance the Costs Thereof under Montana Code Annotated, Title 90, Chapter 5, Part 1, as Amended; approving the project; Authorizing the Issuance of a Bond Therefore; and Allocating a Portion of the County's Authority to Issue Recovery Zone Facility Bonds.]" Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**7. OTHER BUSINESS****8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:37 p.m.

Resolution No. 2010-011 – Following Public Meeting, Acting Chair BC signed. Dated February 17, 2010: Relating to project on behalf of Paul/Susan Tiedee and Christian/Shelli Kenworthy and issuance of Revenue Bond to finance costs thereof (to purchase/refurbish/expand property at 3020 S. Reserve Street. Portion of cost to come from Recovery Zone Facility Bonds. Four originals to Dorsey, Whitney.

**THURSDAY, FEBRUARY 18, 2010**

BCC met in regular session; quorum present. Morning: JC/BC participated in walk-thru with MT Racing at Fairgrounds. Afternoon: JC/BC attended *We Love our Merchants* Recognition Reception, held in Room 201 of Courthouse. ML out of the office all day.

**ADMINISTRATIVE MEETING**

Lease Agreement – BCC signed, dated February 18, 2010. Between County (Western MT Fair) and MT Racing LLC for horseracing at 2010 Fair. Amount/\$200 track rental fee; \$15,000 security deposit. Timelines per Schedule D. One original to Eric Spector.

Petition – ML signed, dated February 18, 2010. Petition for Renewal of the Business Improvement District in Downtown Missoula, MT (for inclusion of Risk & Benefits in the BID). Amount/\$150 per year. Original to Rod Austin.

Letter – BCC signed, dated February 18, 2010. To Whom It May Concern supporting Spring Meadows Subdivision Sewer Project Grant funding.

Additional discussion item(s): Projects update.

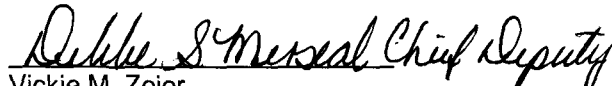
FRIDAY, FEBRUARY 19, 2010

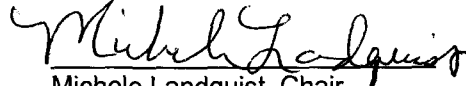
BOOK 010 PAGE 0113

BCC met in regular session; quorum present. Morning: JC at CDC Meeting/Kalispell. ML in office late afternoon.

Plat – BCC signed. Owner-Kathryn L. Duffield. Duffield Subdivision, located in Section 3, T 3 N, R 19 W, PMM, Missoula County. Total area/15.16 acres.

Proclamation – BCC and Mayor Engen signed February 19, 2010. Proclaiming February 18, 2010 as *Responsible Merchant Recognition Day* to businesses demonstrating best-practice sales policies to prevent alcohol-related traffic crashes in County.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

MONDAY, FEBRUARY 22, 2010

BCC met in regular session; quorum present. JC at MACo Midwinter Conference/Great Falls through noon on Tuesday, February 23<sup>rd</sup>.

Planning Status Meeting – BCC/OPG Staff. Canceled/no agenda items.

Replacement Warrant - ML signed. Katherine North, Missoula, Principal for MCPS Warrant #28-183425, issued March 28, 2008 on County Payroll Fund. Amount/\$42.59 (for wages). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - ML signed. Anna Burham, Principal for MCPS Payroll Warrant #31309687, issued February 12, 2010 on County Payroll Fund. Amount/\$477.27 (for wages). Warrant not received in mail; no bond of indemnity required.

TUESDAY, FEBRUARY 23, 2010

BCC met in regular session; quorum present. JC at MACo Midwinter Conference/Great Falls through noon today.

Replacement Warrant - ML signed. Brett Haines, Seeley Lake, Principal for MCPS Warrant #28-186331, issued June 13, 2008 on County Payroll Fund. Amount/\$820.36 (for wages). Warrant not received in mail; no bond of indemnity required.

#### ADMINISTRATIVE MEETING

Request – Per County Parks Board recommendation, BCC approved Missoula Horseman's Council 2010 Weed Grant Project (with Weed Board) for Equestrian Park/Big Sky Park. Cost to Parks/\$2,303. Original to Lisa Moisey/Parks.

Amendment – BCC signed, dated February 23, 2010. To contract between County and Salvation Army (dated 10/21/08) for Emergency Winter Shelter Plan. Amendment increases amount payable from \$25,000 to \$32,000 (per request from Emergency Shelter Committee). Original to Peggy Seel/OPG.

Grant Application Documents – ML signed. For County continuation funds (\$50,000) to provide environmental substance abuse prevention strategies as part of on-going Missoula Forum for Children/Youth (MUSAP) work. Original to Peggy Seel/OPG for further signatures/handling.

Agreement – BCC signed, dated February 23, 2010. Between County and WGM Group, Inc. for Wye Area Regional Water System Preliminary Engineering Report/Groundwater Study. Project amount/\$42,150; County match \$5,000. Estimate completion/July 2010. Two originals to Public Works.

Resolution No. 2010-012 – BCC signed, dated February 23, 2010. Declaring County's commitment to apply for financial assistance through TSEP and DNRC Renewable Resource Grant/Loan Program for construction of sewer improvements in Spring Meadows Addition (proposed RSID 8498).

Task Order – ML signed. #10-07-5-51-018-0 between MCCHD and MT DPHHS for continued funding for children/youth with special health care needs. Amendment increases funding by \$9,700 for staff to attend Summer 2010 Cystic Fibrosis training, CHRIS software training, and client reimbursement. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Additional discussion item(s): MonTEC Loan with First Security Bank.

WEDNESDAY, FEBRUARY 24, 2010

BCC met in regular session; all three present. Evening: BCC held Public Hearing (cont'd from 2/4/10) for Seeley Lake Regional Land Use Plan, held in Room 201/County Courthouse.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Loan Extension – BCC approved/ML signed Loan Extension Agreement for loan to MonTEC by First Security Bank (County as Guarantor). Original loan/\$1 million; balance/\$887,928.22. Extension/nine months. Original to CFO Andrew Czorny.

Request – BCC approved amendment to County Personnel Policy 413.10 adding Department Head (at their discretion) can pay for/reimburse employee's educational expenses using department's budgetary resources. Original to Steve Johnson/HR.

Letter – BCC signed, dated February 23, 2010 to MT's Congressional Delegation (Baucus/Tester/Rehberg), supporting NMCD's \$750,000 appropriation request for renovation of Burns Street Square. Originals to Shantelle Gaynor/OPG.

Letter – BCC signed, dated February 24, 2010 to Jim Skinner/Program & Policy Bureau/MT DOT, Helena, supporting the Russell Street project in Missoula.

Additional discussion item(s): 1) Robert Dischner/Mallard Estates; 2) Public Works vehicle purchase from Karl Tyler Chevrolet; and 3) MCAT Broadcasts of Government meetings.

#### PUBLIC MEETING – FEBRUARY 24, 2010

##### 1. **CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey, and Chair Michele Landquist. Absent: None.

Staff Present: None.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### g. Weekly Claims List - \$569,791.91

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$569,791.91. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### h. Public Announcements

##### 5. **OTHER BUSINESS**

##### 6. **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:33 p.m. until 6:00 p.m.

##### 7. **RECONVENE MEETING AT 6:00 PM**

Chair Michele Landquist reconvened the meeting at 6:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey, and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Rural Initiatives Senior Planner Pat O'Herren, and Rural Initiatives Planner Nancy Heil.

##### 8. **PUBLIC COMMENT**

##### 9. **HEARING (Continued from February 4, 2010)**

###### a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist re-opened the hearing.

Nancy Heil reviewed the history of the plan. (staff report)

Public Comment

Bruce Bourne

Bill Swain

Rich White

Staff comment, James McCubbin

Ken Kronsperger and discussion

Staff comment, Pat O'Herren and discussion

Bill Campbell and discussion

Emery Johnson

Staff comment, James McCubbin and discussion

Bob Wasson

Sherry Marihugh and discussion

Joan Bishop

Richard Reep

Staff comment, James McCubbin and Richard Reep and discussion

Ilene Burgess-Watson

Mike Fellows

Kathy White and discussion

Dan Poole

Jan Guelff and discussion

Tom Vannoy and discussion

Alicia Venderheiden

Matt Farrell

Ken Kronsperger

Walt Hill and discussion

Gail Vannoy

Brianna Randall

Lan Lindberg

Chair Michele Landquist closed the public comment for this hearing on this date.

Discussion on future meetings, March 3 and March 17

Discussion, procedure

Charles Lubrecht

Chair Michele Landquist closed the public hearing and discussion

#### 10. OTHER BUSINESS

#### 11. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 7:39 p.m.

**THURSDAY, FEBRUARY 25, 2010**

BCC met in regular session; all three present.

#### ADMINISTRATIVE MEETING

Resolutions – BCC signed, dated February 25, 2010, canceling May 4, 2010 May Special District Trustee Elections (and electing by acclamation the parties that have filed nominating petitions for open positions) for the following:

- 1) #2010-013/Big Flat Irrigation District – No petitions received for two positions (one 3-year, one unexpired 1-year terms); new members to be appointed.
- 2) #2010-014/Bonner Community Council – Elected by acclamation: Gary Matson & Maria Ibarbia (3-year terms), Donald Felton (unexpired 1-year term).
- 3) #2010-015/Clinton Irrigation District: No petitions received for one 3-year term; new member to be appointed.
- 4) #2010-016/East Missoula Community Council – No petitions received for two 3-year terms; new members to be appointed.
- 5) #2010-017/East Missoula RFD – Elected by acclamation: Robert Starr (3-year term), Richard Neff (unexpired 2-year term), and Carole Boulter (unexpired 1-year term).
- 6) #2010-018/Frenchtown Irrigation District – Elected by acclamation: Wm. J. Lucier, Jr. (3-year term).
- 7) #2010-019/Frenchtown RFD– Elected by acclamation: Mitchell C. Hicks (3-year term).
- 8) #2010-020/Greenough-Potomac Fire Service Area – Elected by acclamation: Larry L. Busby. (3-year term).
- 9) #2010-021/Lolo Community Council – Elected by acclamation: William Geer & Susan Hadnot (3-year terms), Gary Buehler, DVM (unexpired 2-year term). BCC to appoint one applicant for unexpired 1-year term.
- 10) #2010-022/Missoula Irrigation District: Elected by acclamation: Eugene Diemer (3-year term). No petitions received for one 3-year position; new member to be appointed.
- 11) 2010-023/Missoula RFD– Elected by acclamation: Cheryl Hanson & Dan Corti (3-year terms).
- 12) #2010-024/Seeley-Swan Valley Hospital District – Elected by acclamation: Marianne Judge (3-year term).
- 13) #2010-025/Swan Valley Community Council – Elected by acclamation: Dwayne Forder & Michael Holmes (3-year terms).
- 14) #2010-026/Swan Valley Fire Service Area – Elected by acclamation: John K. Mercer (3-year term).
- 15) #2010-027/West Valley Community Council – Elected by acclamation: Jeri Delys (3-year term). No petitions received for one 3-year position; new member to be appointed.

Contract – ML signed. #MT-CDBG-09PG-12 between County (Grantee), IRS #81-6001397, and MT DOC, for CDBG Planning Grant funding on behalf of Poverello Center. Amount/\$17,325. Two originals to Jean Harte/OPG for further signatures/handling.

Contract – BCC signed, dated February 25, 2010. Between County and Professional Consultants, Inc. for services to assist County/Rocking M Design with determining best alternative for irrigation water in medians along Airway & Expressway/MDP. Amount/\$2,000. One original to Barb Martens/Projects.


Contract – BCC signed, dated February 25, 2010. Between County and Rocking M Design for landscape architectural services for Parks 4, 5, 7 & 8/MDP. Amount/\$22,650. Proposed construction: April & May, 2010. One original to Barb Martens/Projects.

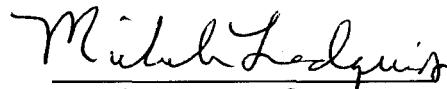
Additional discussion item(s): 1) Election Judge Flat Rate Pay; and 2) Projects update (Event Center/GIS Enterprise System).

FRIDAY, FEBRUARY 26, 2010
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BCC met in regular session; all three present.

Indemnity Bond – ML signed. Marcy Fisher, Frenchtown, Principal for District Court Warrant #30144122, issued November 10, 2009 on County 2180 Fund. Amount/\$34.00 (for Jury Duty/mileage). Warrant lost.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC



## MISSOULA COUNTY COMMISSIONERS' JOURNAL: MARCH, 2010

BCC = BOARD OF COUNTY COMMISSIONERS

ML = Commissioner Michele Landquist, Chair

JC = Commissioner Jean Curtiss

BC = Commissioner Bill Carey

The following Claims Lists were signed during the month of MARCH 2010:

Date Signed	Claims List Date	Who signed	Amount
March 2, 2010	March 2, 2010	BCC	\$4,993.23
			\$2,937.38
			\$29,891.17
			\$45,419.14
March 3, 2010	March 2, 2010	BCC	\$39,541.94
			\$32,017.96
			\$11,894.53
March 3, 2010	March 3, 2010	BCC	\$31,089.27
			\$1,736.07
March 4, 2010	March 3, 2010	BCC	\$38,982.86
March 4, 2010	March 4, 2010	BCC	\$1,452.63
			\$6,133.50
March 5, 2010	March 4, 2010	BCC	\$26,368.88
March 5, 2010	March 4, 2010	BC, JC	\$34,263.39
March 9, 2010	March 9, 2010	BCC	\$40.00
			\$27,053.22
March 10, 2010	March 9, 2010	BCC	\$1,607.53
			\$28,564.13
			\$4,683.67
			\$15,212.69
			\$44,147.94
March 10, 2010	March 10, 2010	BCC	\$19,482.77
March 11, 2010	March 10, 2010	BCC	\$28,489.43
			\$6,122.18
			\$41,504.39
March 12, 2010	March 11, 2010	BCC	\$1,076,727.64
			\$8,419.61
			\$20,057.41
			\$13,307.76
March 15, 2010	March 12, 2010	BCC	\$1,461.33
March 15, 2010	March 15, 2010	BCC	\$1,353.65
			\$15,462.82
			\$7,042.83
			\$4,207.68
March 16, 2010	March 16, 2010	BCC	\$44,290.54
			\$56,736.09
			\$11,090.05
March 17, 2010	March 16, 2010	JC, ML	\$4,409.82
March 17, 2010	March 17, 2010	JC, ML	\$57,105.53
March 17, 2010	March 17, 2010	JC, ML	\$30,214.35
March 18, 2010	March 18, 2010	BCC	\$4,519.39
			\$9,559.73
			\$141,686.89
March 22, 2010	March 18, 2010	BCC	\$12,774.27
			\$2,297.37
			\$7,787.77
March 22, 2010	March 22, 2010	BCC	\$500.00
			\$362.44
March 23, 2010	March 22, 2010	BCC	\$1,479.15

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March 23, 2010	March 23, 2010	BCC	\$1,375.94
			\$42,961.40
			\$561.32
			\$1,460.00
			\$1,049.25
			\$2,135.50
March 24, 2010	March 24, 2010	BCC	\$9,284.22
			\$11,239.72
			\$28,622.35
March 25, 2010	March 25, 2010	BCC	\$3,660.33
			\$4,557.64
			\$12,348.54
March 26, 2010	March 25, 2010	BCC	\$2,976.50
			\$3,189.70
March 26, 2010	March 26, 2010	BC, ML	\$2,548.70
			\$41,267.17
			\$49,929.34
March 29, 2010	March 26, 2010	BCC	\$11,724.21
			\$3,000.00
March 29, 2010	March 29, 2010	BCC	\$1,930.00
			\$20,062.76
			\$129,000.67
March 30, 2010	March 30, 2010	BCC	\$18,000.00
			\$36,624.70
			\$1,737.19
March 31, 2010	March 30, 2010	BCC	\$4,805.95
			\$34,003.22
March 31, 2010	March 31, 2010	BCC	\$41,075.69
			\$4,258.87

All Claims Lists were returned to the Accounting Department.

#### MONDAY, MARCH 1, 2010

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Canyon Creek Village Phasing Plan Amendment (*action*).

Letter – BCC signed, dated March 3, 2010 to Perry Ashby/Wesmont Builders, Inc. Missoula, approving phasing plan amendments Phases 12-16 of Canyon Creek Village Subdivision. Final plat filing for last phases subject to additional condition #23.

#### TUESDAY, MARCH 2, 2010

BCC met in regular session; all three present.

#### ADMINISTRATIVE MEETING

County Payroll Transmittal Sheet – BCC signed. Pay Period: 5/CY2010 - Pay Date/February 26, 2010. Total Payroll/\$1,202,133.61. Document to County Auditor.

Collective Bargaining Agreement – BCC signed. Between County and County Deputy Sheriffs Association for the period July 1, 2009-June 30, 2011. Two originals to HR for further handling.

Collective Bargaining Agreement – BCC signed. Between County and Local Unit #1/MT Public Employees Association for the period July 1, 2009-June 30, 2011. Two originals to HR for further handling.

Board Appointment - BCC appointed Colleen Done to fill Don Niles' term to April 30, 2010 on the Seeley-Swan Cemetery District Board, as well as to a new 3-year term from May 1, 2010-April 30, 2013.

MOA – ML signed. Annual renewal of Financial/Operating Plan between County Sheriff's Department and US Forest Service under provisions of Cooperative Law Enforcement Agreement #06-LE-11011600-018 of May 30, 2006. Amount/\$21,000. Two originals to Dawn Seaton/Sheriff's Office for further signatures/handling.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Sheriff Detention juvenile arrests sealed files: DOB 1981 or prior. To M. Porter/Records.

Letter – BCC signed, dated March 2, 2010 to Gerald Watne/Multifamily Program Manager, MT DOC, Helena, supporting Summit Housing Group's proposed Lolo Vista Apartment project.

Letter – BCC signed, dated March 2, 2010 to US Senate Finance Committee Members Baucus, Grassley, Rangel and Camp, supporting (on behalf of Missoula in Motion) legislation to create parity between parking/transit portions of transportation fringe benefits (HR 891/S 322). Original to Alex Stokman for further handling/Mayor's signature.

Additional discussion item(s): Whether or not to send someone to D.C. for EOC funding.

**WEDNESDAY, MARCH 3, 2010**

BCC met in regular session; all three present. Evening: BCC continued Public Meeting to consider Seeley Lake Regional Land Use Plan.

Replacement Warrant - ML signed. Seeley Electric, Missoula, Principal for SL School District #34 Warrant #23108273, issued January 31, 2010. Amount/\$86.78 (for electrical work). Warrant not received in mail; no bond of indemnity required.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending February 28, 2010.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Revised Agreement – BCC signed, dated March 2, 2010. Between County and John Fuchs for taking of minutes at RSID 901 (Lolo Water/Sewer District) Advisory Board meetings. Revised agreement adds \$20 per meeting fee; accommodates maximum of \$100/month for future requests. One original to Mr. Fuchs.

Additional discussion item(s): Stimson cleanup.

**PUBLIC MEETING – MARCH 3, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Public Works Transportation Engineer Erik Dickson, Assistant Public Works Director Tim Elsea, Senior Attorney Dori Brownlow, and Public Works Engineering Technician Brent O'Connor

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

a. Weekly Claims List - \$311,019.87

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$311,019.87. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

b. Public Announcements

**5. HEARING**

a. Adopt Proposed Revisions to the Public Works Manual

Chair Michele Landquist opened the hearing.

Tim Elsea presented the staff report and reviewed the changes in the manual.

Questions from Commission

Public Comment

Todd Bauer and discussions

Further discussions on changes

Commissioner Jean Curtiss reviewed changes to be made

Commissioner Bill Carey suggested procedure for staff to return with additional changes

Commissioner Jean Curtiss continued to review changes to be made

Chair Michele Landquist comment

Commissioner Jean Curtiss, additional recommended changes to manual

Todd Bauer

Discussion on date certain

Hearing continued to March 17, 2010

**6. OTHER BUSINESS**

**7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:23 p.m. and will reconvene at 6:00 p.m.

**8. RECONVENE MEETING AT 6:00 PM**

Chair Michele Landquist reconvened the meeting at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil and Rural Initiatives Senior Planner Pat O'Herren.

**9. PUBLIC COMMENT****10. HEARING (Continued from February 24, 2010)****a. Seeley Lake Regional Land Use Plan**

Chair Michele Landquist re-opened the hearing.

Nancy Heil reviewed the history of the plan (staff report). The process will include discussions on:

- Specificity of the Plan with respect to Plan implementation -- summary of Planning Board action as background for discussion of specific land use designations
- Clearwater Junction Land Use designations, including commercial
- North Seeley Lake Land Use designations, including Gateway Commercial and Lake Inez
- Some downtown area land use designations including hospital, Double Arrow, Seeley Lake Estates
- Industrial Land use designation and Home Industry, if time permits

Commissioner Jean Curtiss comment

Chair Michele Landquist comment

Public Comment

- Clearwater Junction Land Use designations, including commercial
  - Jerry O'Connell
  - Gail Vannoy
  - Commissioner Jean Curtiss and Gail Vannoy
  - Chair Michele Landquist, Gail Vannoy, Commissioner Jean Curtiss, and discussion
  - John Richards
  - Juanita Vero (map)
  - Nancy Heil comment
  - Tom Vannoy
  - John Richards
  - Mary Gravning
  - Jerry O'Connell
  - Bruce Bourne
  - Gail Vannoy
  - Pat O'Herren
- North Seeley Lake Land Use designations, including Gateway Commercial and Lake Inez
  - Staff comment, Nancy Heil, and discussion
  - William Campbell and discussion
  - Jan Gueleff
  - John Richards
  - Addrien Marx
  - Cliff Hawkins
  - Bruce Bourne
  - Jack Eskers
- Some downtown area land use designations including:
  - Hospital
    - Staff comment, Nancy Heil
    - Staff comment, Pat O'Herren
    - Walt Hill
  - Double Arrow
    - Staff comment, Nancy Heil
    - Bill Swain
    - Addrien Marx
    - Walt Hill and discussion
    - Bill Swain
    - John Richards and discussion
    - Carolyn Mehl
    - John Richards and Carolyn Mehl
  - Seeley Lake Estates
    - Staff comment, Nancy Heil, and discussion
    - Jan Gueleff
    - Chair Michele Landquist and Nancy Heil
    - Walt Hill
    - Bruce Bourne
    - John Richards
    - Chair Michele Landquist comment

Next meeting March 17

Nancy Heil, next meeting discussion items, and discussion  
Jerry O'Connell

## 11. OTHER BUSINESS

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## 12. RECESS

The meeting was recessed at 8:50 p.m.

**THURSDAY, MARCH 4, 2010**

BCC met in regular session; all three present.

Replacement Warrant - ML signed. Global Travel, Missoula, Principal for Health Dept. Warrant #30146198, issued December 29, 2009 on County 2273 fund. Amount/\$306.40 (for airfare). Warrant not received in mail; no bond of indemnity required.

**ADMINISTRATIVE MEETING**

Task Order - ML signed. #10-07-4-31-031-0 to County Unified Gov't Master Contract between County and MT DPHHS for period July 1, 2005-June 30, 2012 (Immunization Program). Provides funding (\$37,120) for period January 1-December 31, 2010. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

MOU - ML signed. Between City-County Health Dept. and Child Care Resources for contract year 2009-2010 (for Registered Nurse & Admin. Assistant to assist local child care providers). Two originals to Julie Mohr/Health Dept.

Grant Application - BCC signed Non-Supplantation Letter (dated March 4, 2010), and ML signed MOU for County's *Safe Haven's Planet Kids Safe Exchange/Visitation Program* (CFDA 16.527) application for FY10-FY13 submitted to OVAW/Office of Justice Programs. Budget estimate for one year: \$100,000-\$116,000. Originals to Shantelle for further signatures/handling.

Letter - BCC signed, dated March 3, 2010 to Bob Cooper, Director/Statewide Library Resources, Helena, supporting Missoula Public Library's "Enhancing Computing Centers at MT Public Libraries" grant proposal to the MT State Library.

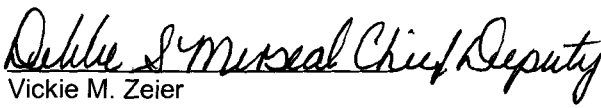
Letter - BCC signed, dated March 4, 2010 to *To Whom it May Concern* in support of Historical Museum at Fort Missoula's grant application to present "On Fire" project (one-act play dramatizing heroism of firefighters during 1910 fire). Original to Dorene/Historical Museum.

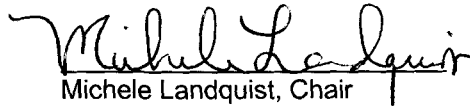
Letter - BCC signed, dated March 4, 2010 to Marcy Allen/BREDD, Inc., Missoula, in support of BREDD's request for federal appropriations to fund/launch MT Clean Tech Alliance. Original to Marcy/BREDD.

Additional discussion item(s): 1) Courthouse Centennial Celebration; 2) County Parks/Trails Plan; and 3) County Showcase Program.

**FRIDAY, MARCH 5, 2010**

BCC met in regular session; all three present.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, MARCH 8, 2010**

BCC met in regular session; all three present in morning. Afternoon: BCC traveled to/attended Regional Economic Development Meeting, held at Quinn's Hot Springs.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) West End Industrial Subdivision Phasing Plan Amendment (action); and 3) OPG Director's Update.

Letter - BCC signed, dated March 26, 2010 to Johnson Brothers Contracting, Inc., Missoula, approving amendment of West End Industrial Subdivision Phase II final plat submittal deadline to March 3, 2012.

County Transportation Ballot - ML voted/signed, dated March 8, 2010. FOR approval of Route SE20 (Frenchtown High School: new route transporting high school student to elementary school 3x week). Original to Supt. of Schools.

**TUESDAY, MARCH 9, 2010**

BCC did not meet in regular session. BCC at Regional Economic Development Meeting until mid-afternoon, held at Quinns' Hot Springs.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending February 28, 2010.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending February 28, 2010.

ADMINISTRATIVE MEETING – CANCELED (BCC out of town)

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EPA Grant Form 4700-4 – ML signed. Re: DUNS #01-777-0587/Preaward Compliance Review Report for Applicants/Recipients requesting EPA financial assistance.

WEDNESDAY, MARCH 10, 2010
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BCC met in regular session; all three present.

CHIEF ADMINISTRATIVE OFFICER MEETING

JABG Grant Application – ML signed. To expand opportunities for youth to develop life skills through contract with Habitat for Humanity and Personnel costs. Total project budget/\$80,047 (<10% County match). Originals to Brenda Johnson/District Court.

Contract – BCC signed, dated March 10, 2010. Between County and Habitat for Humanity of Missoula for FY2009-2010. Amount/\$19,346.12 (\$19,298.88 approved for County Attorney Juvenile Prosecutor) through JABG Grant 09-A14-90608.

Encroachment Permit – ML signed. Authorizes placement of info kiosk by Army Corps of Engineers near the Bonner Pedestrian Bridge (property owned by County). Three originals to Greg Robertson/Public Works.

Contract – ML signed. Between County and Allied Engineering Services, Inc. for Cold Creek Bridge Hydrologic/Hydraulic Study. Amount/\$25,995. Two originals to Greg Robertson/Public Works.

Contract – BCC signed, dated March 3, 2010. Between County and Kirchmann Media Group to solicit sponsorships/develop new events for 2010 Western MT Fair. Term/March 3–August 31, 2010. Approx. amount/\$10,400. Two originals to Eunice Misbe/Fair.

Request – BCC approved following as members of FY2011 CBO Review Team: Charlie Wellenstein, Michele Landquist, Marianne Moon and Bob Oakes. Original to Jean Harte/OPG.

CBO Cover Letters – BCC signed two letters, dated March 9, 2010, to Community-Based Organizations re: funding requests and enclosing either applicable 1) County CBO application or 2) County Funds Application FY2011, with due date no later than 3:00 pm, April 14, 2010. Originals to Jean Harte/OPG.

[BCC reviewed letter of Agreement (renewal), dated March 10, 2010 between Historical Museum and Missoula Model Railroad Club. No BCC signatures required].

Additional discussion item(s): Upper Linda Vista Homeowners Association.

PUBLIC MEETING – MARCH 10, 2010**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, and Survey Technician Steve Smith.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

c. Weekly Claims List - \$344,790.21

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$344,790.21. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

d. Public Announcements

**5. PRESENTATION**

a. Charlotte Beaty & Cindy Thiel: Update on Self Help Law Center

Chair Michele Landquist introduced the hearing.

Cindy Thiel and Charlotte Beaty presented the update on the Self Help Law Center  
Questions from Commission/Comments

**6. HEARING**

a. Excavation Permit for Use of County Right-of-Way to Extend Sanitary Sewer Main (Miller Creek Road Reconstruction Project)

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Applicant's presentation, Steve King

Questions from Commission

Staff comment, James McCubbin  
 Staff comment, Greg Robertson  
 Public Comment  
 Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve issuing a permit to the City of Missoula to extend a sewer main within the Miller Creek Road right-of-way. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

#### 7. HEARING (postponed from February 17, 2010)

- a. Petition to Abandon a Portion of Woodworth Road (Emerald Lake Estates) - East of Salmon Lake)  
 Chair Michele Landquist opened the hearing.  
 Kim Cox verified the petition  
 Steve Smith presented the staff report.  
 Questions from Commission  
 Staff comment, James McCubbin  
 Applicant's representative presentation, Toby Dumont  
 Questions from Commission  
 Public Comment  
 Staff comment, James McCubbin and Steve Smith  
 Hearing continued to March 24, 2010

#### 8. OTHER BUSINESS

#### 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:06 p.m.

### THURSDAY, MARCH 11, 2010

BCC met in regular session; all three present. Morning: BCC had meeting/briefing with Keith Large of DEQ re: Stimson clean-up.

Replacement Warrant - ML signed. Michelle Davis, Dillon, MT, Principal for MCPS Warrant #183192, issued March 21, 2008. Amount/\$34.39 (for wages). Warrant not received in mail; no bond of indemnity required.

#### ADMINISTRATIVE MEETING

County Payroll Transmittal Sheet - BCC signed. Pay Period: 6/CY2010 - Pay Date/March 12, 2010. Total Payroll/\$1,262,198.60. Document to County Auditor.

Resolution No. 2010-029 - ML signed, dated March 11, 2010. Reimbursement Resolution qualifying North Hills Open Space Bond Project for funding (\$445,000) through 2006 Open Space Bond. (City portion).

Resolution No. 2010-028 - ML signed, dated March 11, 2010. Reimbursement Resolution qualifying Madsen Rock Creek Open Space Bond Project for funding (\$40,000) through 2006 Open Space Bond. (County portion).

Contracts - BCC signed, dated March 11, 2010. Between County and following for speaking presentations at *JUST Response "Strangulation & Domestic Violence" Conference* for term April 15-17, 2010:

- 1) With Ruth Downing, for lecture on strangulation. Amount/\$2,100; and
- 2) With Marianne Hemmeter, for lecture on strangulation. Amount/\$1,300 (no compensation/expenses only).

Sales Order Agreement - ML signed. Between County and Election Systems & Software, Omaha, NE for a Model 650 Tabulation Scanner for Elections. Amount/\$41,450. Two originals to Vickie Zeier/Elections for further signatures/handling.

Grant Request - ML signed. MT Board of Crime Control Justice Grant for JDAI & Juvenile System Improvement, Title II 10-06(J). To: 1) send staff to MT Crime Prevention Conference in Bozeman; 2) for a detention writing program (plus travel costs for trainer); and 3) funding for misc. contracted services. Original to Leslie Halligan/Attorney's Office for further signatures/handling.

Approach Application - ML signed, dated March 11, 2010. With County Special Projects for new access onto Expressway (County road)/between Parks 6 & 4, Missoula Development Park. Original to Barb Martens/Projects.

Request - BCC approved request to move forward with estimates for appraisal on Tract 'C' of COS 5807, Missoula Development Park. Staff to solicit three bids for BCC review. Original to Barb Martens/Projects.

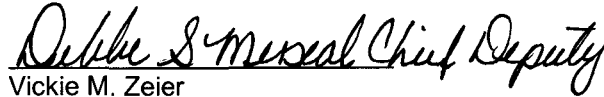
Letters - BCC signed, dated March 10, 2010 to: 1) Ron DeYong (US Dept. of Agriculture); 2) Joe Maurier (MT FWP); and 3) Governor Schweitzer, Helena), requesting funding/action to prevent introduction of aquatic invasive species in Montana.


Letter – BCC signed, dated March 10, 2010 to Public Comments Processing, US Fish & Wildlife Service, Arlington, VA, supporting proposed critical habitat designation for threatened bull trout.

Additional discussion item(s): None.

**FRIDAY, MARCH 12, 2010**

BCC met in regular session; all three present.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, MARCH 15, 2010**

BCC met in regular session; all three present.

Site Visit/afternoon

BCC visited Madsen/Rock Creek Open Space Bond Project site.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Long Addition No. 2 Subdivision—Applying a Phasing Plan (*action*); and 3) OPG Director's Update.

Letter – BCC signed, dated March 24, 2010 to Jack Long Enterprises, Inc., Missoula, approving phasing plan of Long Addition No. 2 Subdivision (subject to conditions of approval as amended).

Replacement Warrant - ML signed. Joseph Grinder, Huson, Principal for Justice Court Warrant #112877, issued March 11, 2008. Amount/\$38.26 (for Jury Duty/mileage). Warrant not received in mail; no bond of indemnity required.

**TUESDAY, MARCH 16, 2010**

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Request – BCC approved appointment of Asst. Chief Bill Colwell as Rural Fire Chief, and confirmed his appointment by DNRC as fire warden. Original to Bob Reid/ES.

Agreement – BCC signed, dated March 16, 2010. Between County (Western MT Fair) and Will Rasmussen as PRCA Rodeo/Bullorama Announcer for 2010 Fair. Amount/\$3,800. Term/August 10-13, 2010. One original to Eunice Misbe/Fair for further signatures/handling.

Letter of Agreement – ML signed. Between County (Western MT Fair) and Wrangler for Rodeo Voucher Promotion during 2010 Fair. Wrangler will reimburse \$10 for each redeemed voucher up to \$7,500. Term/August 11-13, 2010. One original to Eunice Misbe/Fair for further signatures/handling.

Agreement – ML signed, dated March 16, 2010. Between County (Western MT Fair) and IntraDevDirect, LLC for Ticket System services at 2010 Fair. Amount/\$8,100. One original to Eunice Misbe/Fair for further signatures/handling.

Addendum – BCC signed. To contract (March 19, 2007) between County and Lisa Frost, dba LKF Data Entry Services for work for County Clerk & Recorder's Office for three years. Addendum continues contract on a year-to-year basis.

Resolution No. 2010-030 – BCC signed, dated March 16, 2010. Budget Amendment for Search & Rescue to use funds (\$8,000) from FWS State reimbursement program to supplement capital funds. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2010-031 – BCC signed, dated March 16, 2010. Budget Amendment for Health Dept. adding MOA Task Order 09-07-5-21-085-0 funds (\$6,900) to administer WIC Farmer's Market Nutrition Program. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Budget Transfer – BCC signed, dated March 10, 2010. Control No. 10-015 to transfer \$17,000 from Contracted Services into Spay/Neuter Account under "Physician Services" in Animal Control Budget.

Memos – BCC signed, dated March 16, 2010. To Jeff Howe, Field Rep, MPEA, responding to and denying three (3) personnel grievances on grounds stated therein. Originals to Steve Johnson/HR.

Letter – BCC signed, dated March 16, 2010. To all Community Councils, re: application process for \$1,000 funding for FY2011. Deadline is May 19, 2010. Original to Jean Harte/OPG.

Letter – BCC signed, dated March 16, 2010. To MT's Congressional Delegation (Baucus/Tester/Rehberg) supporting reauthorization of TIGER program, and additional funding in any forthcoming Jobs Legislation. Originals to Ann Cundy, OPG.



Additional discussion item(s): Fair update.

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**WEDNESDAY, MARCH 17, 2010**

BCC met in regular session; quorum present. BC out ill. Evening: BCC continued Public Meeting to consider Seeley Lake Regional Land Use Plan.

Indemnity Bond – ML signed. Acrotec, Inc., Polson, Principal for Frenchtown School District #40 Warrant #50052, issued July 13, 2009. Amount/\$42.50 (for work on school website). Warrant lost.

Indemnity Bond – ML signed. Acrotec, Inc., Polson, Principal for Frenchtown School District #40 Warrant #50389, issued September 16, 2009. Amount/\$42.50 (for work on school website). Warrant lost.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Agreement – BCC signed, dated January 25, 2010. Between City-County Health Dept. and Mountain Line for rental of 26 bus bench backs for advertising public health programs over a two-year/renewable period. Amount/\$7,800. Two originals to Julie Mohr/MCCHD for further signatures/handling.

Resolution No. 2010-032 – BCC signed, dated March 17, 2010. Resolution of Intent to adopt amendments to Missoula County Growth Policy 2005 Update Dealing with Sand/Gravel and Wildland Urban Interface.

Additional discussion item(s): Curt Belts Proclamation.

**PUBLIC MEETING – MARCH 17, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss and Chair Michele Landquist. Absent: Commissioner Bill Carey.

Staff Present: Deputy County Attorney James McCubbin, Rural Initiatives Senior Planner Pat O'Herren, and Assistant Public Works Director Tim Elsea.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

**e. Weekly Claims List - \$1,417,271.53**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,417,271.53. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

**f. Public Announcements**

Chair Michele Landquist moved the agenda order.

**6. HEARING (continued from March 3, 2010)**

**a. Adopt Proposed Revisions to the Public Works Manual**

Chair Michele Landquist opened the hearing.

Tim Elsea reviewed the staff report and explained changes.

Questions / Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution to adopt the Public Works Manual amendments, including the amendments provided today as written by Public Works, reviewed by the public, and amended today. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

**5. HEARING**

**a. Growth Policy Amendment (Wildland/Urban Interface & Sand & Gravel Resources)**

Chair Michele Landquist opened the hearing.

Pat O'Herren presented the staff report.

Staff comment, James McCubbin

Chair Michele Landquist comment and Pat O'Herren

Discussion

Questions from Commission

Public Comment

Executive Session

Questions from Commission

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt a resolution of intent outlining the following: (1) finding that the Montana Legislature, through adoption of House Bill 486 has identified a public need for addressing sand and gravel resources in growth policies adopted by local jurisdictions, (2) that the Board also finds that the proposed changes identified in the staff report and adopted in these motions reflect the best available means of addressing that public need, (3) the Board notes that the public health, safety, and welfare as well as economic stability and resource conservation

and use will benefit from the adopted amendments, and (4) that the Board finds that the language below in Map A, which is attached entitled Missoula County Potential Gravel Resources should be adopted as Appendix E of the Missoula County Growth Policy 2005 Update. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

Chair Michele Landquist comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt a resolution of intent outlining the following: (1) finding that the Montana Legislature, through adoption of Senate Bill 51 has identified a public need for addressing the wildland urban interface in growth policies adopted by local jurisdictions, (2) the Board also finds that the proposed changes identified in the staff report and adopted in these motions reflect the best available means of addressing that public need, (3) the Board notes that the public's health, safety, and welfare as well as economic stability and resource conservation and use will benefit from the adopted amendments, and (4) the Board finds that the language below and information referenced on Maps B, C, and D should be adopted as Appendix F of the Missoula County Growth Policy 2005 Update. Chair Michele Landquist seconded the motion. 2:03:38 PM Staff clarification, James McCubbin. The motion carried on a vote of 2-0.

7. **OTHER BUSINESS**

8. **RECESS**

There being no further business to come before the Board, the meeting was recessed at 2:04 p.m. and will reconvene at 6:00 p.m.

9. **RECONVENE MEETING AT 6:00 pm**

Chair Michele Landquist called the meeting to order at 6:00 p.m.

Commissioners Present: Commissioner Jean Curtiss and Chair Michele Landquist. Absent: Commissioner Bill Carey.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, and Rural Initiatives Senior Planner Pat O'Herren.

10. **PUBLIC COMMENT**

11. **CONSIDERATION (continued from March 3, 2010)**

a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist opened the hearing.

Nancy Heil reviewed the history of the plan (staff report). The process will include discussions on:

▪ Legal non-conforming uses and grandfathering  
Public Comment

Jerry O'Connell and discussion  
John Richards and discussion  
Dick Ainsworth and discussion  
Jan Guelff  
Shannon Brownlee and discussion  
Commissioner Jean Curtiss and discussion  
Shannon Brownlee and discussion  
John Richards and discussion  
Dick Ainsworth and discussion  
Tom Ide and discussion  
Tony Hatten and discussion

▪ Resource protection, land use designations, transfer of development rights and credits  
Staff comment, Nancy Heil  
Staff comment, James McCubbin  
Public Comment

David Geer and discussion  
David McEwen and discussion  
Cindy Burgess  
Jerry O'Connell  
Lauren Hicks  
Mike Thompson and discussion  
Dick Ainsworth  
Kathleen Simms  
John Hofler  
David Geer and discussion  
Jerry O'Connell  
Chair Michele Landquist comment  
Staff comment, Nancy Heil  
Public Comment  
John Richards and discussion

Staff comment, Nancy Heil  
 Chair Michele Landquist comment  
 Commissioner Jean Curtiss comment  
 Public Comment  
     David Geer and discussion  
 ▪ Clustering  
     Staff comment, Nancy Heil  
     Public Comment  
        Kathleen Simms  
        Cindy Burgess and discussion  
        Diane Wetherman

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Next meeting, March 31 from 4:00-7:00 p.m. and topics for discussion  
     John Richards  
 Topics for discussion  
     Dick Ainsworth and discussion

**12. OTHER BUSINESS****13. RECESS**

There being no further business to come before the Board, the meeting was recessed at 8:44 p.m.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated March 19, 2010:

- 1) Approving prorating liquor license fees for Evaro Bar and Huson Mercantile.
- 2) Approving request from John Trovatten, Great Falls, to waive penalty/interest for Taxpayer ID #90302350.
- 3) Denying request from Robyn Berg, Frenchtown, to waive penalty/interest for Taxpayer ID #90429091 (unless proof POB was provided to DOR at time of sale).
- 4) Approving request from Malcolm/Angie Cobler, Missoula, to make monthly payments for delinquent mobile home taxes for taxpayer ID #90413970.
- 5) Approving request from Denise Taylor, Missoula, to remove mobile home from upcoming sale and extra time to pay delinquent taxes for taxpayer ID #90164200.
- 6) Denying request from Joseph Lanza, Jr., Missoula, to waive taxes/penalty/interest for Taxpayer ID #90223470.
- 7) Re: request from Robert Seidenschwarz, Missoula, to delete 1994/1995/1996 business property taxes for Taxpayer ID #80806450. County previously moved to write-off taxes; software system erroneously shows them still due. County will not proceed in collection.
- 8) Denying request from Michele Cheff, Missoula, to refund motor vehicle taxes paid for vehicle #1791678. Motor vehicle system indicates no sale has occurred on vehicle.
- 9) Approving request from Vicki Voegelin, Seeley Lake, to refund SL Refuse charges for Taxpayer IDs #1388109, 454401 & 2342101.
- 10) Approving request from Jeffry Collins, Missoula, to refund property taxes overpaid (error in lot size) for Taxpayer IDs #1095807.
- 11) Denying request from Maxine Doney, Arlee, to refund overpayment of taxes for Taxpayer IDs #3104107, 5904783, 506305, & 506407.
- 12) Approving request from Thomas Barfoot, Lolo, to refund motor vehicle taxes paid in error for vehicle #375027.
- 13) Denying request from Muralts, Inc. Missoula, to refund penalty/interest paid for Taxpayer IDs #28804, 5984007 & 5846462.
- 14) Approving request from Bennett Law Office, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #1966957.

## THURSDAY, MARCH 18, 2010

BCC met in regular session in morning; BC ill/out of office in afternoon. Evening: ML attended Upper Linda Vista HOA Annual Meeting, held at Linda Vista Golf Course.

Plat – BCC signed. Owner-Deslie Dee Gianchetta. Painted Sky, Phase 1 Subdivision, located in SE¼ of Section 15, T 11 N, R 20 W, PMM, Missoula County. Total area/12.18 acres. Improvements Agreement/Guarantee relates to gravel road/low-impact trail/signs/culvert. Completion date/no later than July 30, 2010. Estimated costs/\$21,942.50; guaranteed by Treasure State Bank.

**ADMINISTRATIVE MEETING**

Request – BCC approved/County Attorney did NOT approve. To accept easement from Bill/Ramona Holt necessary for construction of the Highway 12 bicycle/pedestrian trail. Returned to Greg Robertson/Public Works for further handling and resubmission.

BCC approved/County Attorney did NOT approve. Revised Subdivision Improvements Agreement for River Estates Subdivision, including new 1<sup>st</sup> Security Bank letter of credit. Returned to Greg Robertson/Public Works for further handling and resubmission.

Board Appointments - BCC reappointed following members to Big Sky Park Stewardship Committee:

- Natalie Harrington, Kim Ashwell and Dawn Kato: 3 year terms (April 1, 2010 – March 31, 2013); and
- Wally Sept, Laura Bakker: 2 year terms (April 1, 2010 – March 31, 2012).

At end of these terms, ALL members are eligible for new 3-year terms (in order to stagger terms).

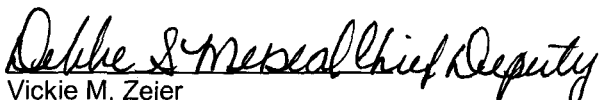
Form – BCC signed. Service Provider Designation Form to designate State-approved Chemical Dependency service providers (Western MT Addiction Services & Missoula Indian Services). Original to Peggy Seel/OPG.


Proclamation – BCC signed, dated March 18, 2010. Extending deepest appreciation and thanks to Chief Curt Belts on occasion of his retirement from Missoula RFD. Original to Bob Reid/ES.

Additional discussion item(s): 1) Update on Spring Meadows Subdivision RSID; 2) Frenchtown Frontage Road status/MDT Agreement; 3) Big Flat Road/HB645 status; letter will be sent to Governor and local delegation; 4) Re-addressing property off Mullan Road; and 5) Budget update.

#### FRIDAY, MARCH 19, 2010

The BCC met in regular session; quorum present. ML out of office all day.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

#### MONDAY, MARCH 22, 2010

BCC met in regular session in morning; BC out of office all afternoon.

##### Site Visit/afternoon

JC accompanied Steve Smith on site visit to Woodworth Road

Indemnity Bond – ML signed. Quiznos Sub, Missoula, Principal for MCPS/A-P Warrant #205603, issued October 7, 2009 on County Misc. Federal Fund. Amount/\$81.43 (for Classic Subs). Warrant lost.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Kennedy Subdivision/Condition Amendment (*action*); 3) Levee like Structures (*info*); 4) OPG Director's Update.

Letter – BCC signed, dated March 26, 2010 to Scott Kennedy Family Trust, Seeley Lake, approving amendment to Condition of Approval #14 (re: fire protection) for Kennedy Subdivision. Review/approval by Missoula County Fire Inspector prior to building permit approval (not Seeley Lake RFD prior to final plat approval).

#### TUESDAY, MARCH 23, 2010

BCC met in regular session; all three present. Noon: BCC, Dale Bickel, et al had lunch at Finn & Porter's with MDA & BID Board Members. Afternoon: BCC, RI Staff, et al attended RI-UM Land Use Law Clinic Update: Alternative Energy, held in Room 201/Courthouse. Evening: JC attended Milltown Redevelopment Working Group Site Tour.

##### ADMINISTRATIVE MEETING

MOA – BCC signed, dated March 23, 2010. Between County and East Missoula Community Council for services to advance/promote interests/welfare of residents of East Missoula. Amount/\$1,000. Term/July 1, 2009-June 30, 2010.

Agreement – BCC signed, dated March 14, 2010. Between County and Sankey Pro Rodeo Company for production of 2010 Bullorama at Western MT Fair/August 10, 2010. Amount/\$15,000. Term/July 1, 2009-June 30, 2010.

2010 PRCA Rodeo Approval Application – BCC approved/ML signed. For Rodeo August 11-13, 2010 at Western MT Fair. Cost/\$1,300. Original to Eunice Misbe/Fair.

2010 WPRA/PRCA Event Application – BCC approved/ML signed. For Missoula Stampede/Barrel Racing August 11-13, 2010 at Western MT Fair. Cost/\$160. Original to Eunice Misbe/Fair.

Agreement – BCC signed, dated March 23, 2010. Between County and PROS Consulting, LLC. to negotiate contract(s) for County Parks & Trails Plan Project contract/scope of work. Amount/\$85,840. Term/April 1, 2010-March 31, 2011. Two originals to Lisa Moisey/Parks for further signatures/handling.

Board Appointments - BCC appointed following members to new Evaro-Finley-O'Keefe Community Council:

- Paul Heihn (HD14/Area 1) and Jock Conyngham (HD99/Area 2): 1 year term (to May 2011);
- Denise Elliott (HD99/Area 2) and Ada Reep (HD99/Area 2): 2-year term (to May 2012); and
- Meggen Ryan (HD14/Area 1): 3-year term (to May 2013).

In the year their terms expire, all members must run in the May Special Election for a new 3-year term.

Resolution No. 2010-033 – BCC signed, dated March 23, 2010. Adopting a Public Works Manual. [Supersedes Resolutions 2008-149; 2008-055, 2007-018, 86-021, 76-26 and Engineering Policy "Tests/Specifications for Infrastructure Improvements" adopted August 1, 2002]. Public Meetings held March 3<sup>rd</sup> and March 17<sup>th</sup>, 2010.

Additional discussion item(s): Status/recommendation for RSID 8496 – Lewis & Clark Water Rights; discussed legal ramifications. Staff directed to follow-up.

<b>WEDNESDAY, MARCH 24, 2010</b>
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BCC met in regular session; all three present. Evening: JC attended *Missoula Meets the Challenge 2010*", held at City Life Community Center.

CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed, dated March 24, 2010. Between County and Hall-Widdoss & Co. to complete Summary Appraisal Report on Tract 'C'/COS 5807, MDP. Amount/\$2,500. Term: March 24, 2010-April 21, 2010. One original to Contractor.

Contract – ML signed, dated February 17, 2010. Between County (Western MT Fair) and Chance McKinney n' CrossWire for outdoor concert at Fair on August 14, 2010. Amount/\$5,000 + Hotel & Meals. One original to Eunice Misby/Fair.

Resolution No. 2010-034 – BCC signed, dated March 24, 2010. Expending \$40,000 of 2006 Open Space Bond Proceeds for purchase of conservation easement for Madsen/Four Bar M Open Space Project.

Additional discussion item(s): Projects update.

PUBLIC MEETING – MARCH 24, 2010

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, Public Works Survey Technician Tony Hollaway, and Public Works Examining Surveyor Manager Steve Smith.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

g. Weekly Claims List - \$260,724.77

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$260,724.77. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

h. Public Announcements

**5. Proclamation**

a. Chief Curt Belts Appreciation

Chair Michele Landquist introduced the proclamation.  
Commissioner Bill Carey read the proclamation.

**6. HEARING (Certificate of Survey)**

a. John & Nancy Pickering Family Transfer

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report. 1:37:22 PM Notation regarding previous family transfer of September 2005; reapplying

James McCubbin questioned the applicant, Bonnie Pickering  
Questions from Commission

Staff comment, James McCubbin, clarification of map in staff report  
Public Comment

## Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the request by the Pickerings [John and Nancy Pickering] to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## 7. HEARING

## a. Madsen/Rock Creek Open Space Bond Project (County)

Chair Michele Landquist opened the hearing.

Nancy Heil presented the staff report.

Easement holder presentation, Greg Tollefson, Five Valleys Land Trust (PowerPoint)

Public Comment

Questions/Comments from Commission

Executive Session

Commissioner Jean Curtiss comment/discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the expenditure of \$40,000 in Open Space Bond funds via the attached resolution, which is Attachment D, for the purchase of a conservation easement on the Madsen/Four Bar M project, based on the findings that the project qualifies for funding, the recommendations of the Open Land Citizen Advisory Committee, public hearing comments, written comments, and staff's analysis. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

8. DECISION (from March 10, 2010 Hearing)

## a. Petition to Abandon a Portion of Woodworth Road (Emerald Lake Estates) - East of Salmon Lake)

Chair Michele Landquist opened the hearing.

Steve Smith presented the viewer's report. (staff report)

Commissioner Jean Curtiss comment

Staff Presentation, Steve Smith

Questions from Commission

Staff question, James McCubbin

Staff comment, Steve Smith and James McCubbin

Toby Dumont, PCI and discussion

Staff question, James McCubbin and discussion

Clarification of procedure

Public Comment

Toby Dumont

Staff comment, James McCubbin and discussion

Hearing continued to April 7, 2010 and discussion

Additional site visit scheduled for Monday, April 5 at 2:30 p.m., Jean Curtiss and Steve Smith and discussion

## 9. OTHER BUSINESS

## 10. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:36p.m.

## THURSDAY, MARCH 25, 2010

BCC met in regular session; all three present in morning. Lunch: JC/ML attended *Impacts & Benefits of Federal Climate & Energy Legislation* (w/David Gardiner from CERES), held at Holiday Inn Parkside. JC out of office remainder of day.

ADMINISTRATIVE MEETING

Progress Report – ML signed. 2009 Report for SHARE House Transitional Housing Project. Original to Melissa Gordon/OPG.

Grant Agreement – ML signed. Renewal Grant #MT0015B8T000802 Agreement between US HUD and County for Western MT Mental Health Center/Turning Point SHARE House Project. Amount/\$147,498; County to receive \$3,511.50 for administrative purposes. Term/January 3, 2010-January 2, 2011. Three originals to Melissa Gordon/OPG for further signatures/handling.

Resolution No. 2010-035 – BCC signed, dated March 25, 2010. Adopting Amendments (addressing Sand and Gravel and Wildland Urban Interface) to County Growth Policy 2005 Update. Public Hearing held March 17, 2010.

Signature Certification Form – BCC signed. Form for FY 2007 TSEP Grant for Deschamps Lane/Bible Lane Bridge replacement projects. Old certification expired. Original to Greg Robertson/Public Works.

Contract – ML signed. Between County and Knife River for construction of Mullan Road Bike/Pedestrian Path. Six originals to Greg Robertson/Public Works for further signatures/handling.

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Request – BCC approved a grant of no more than \$60,000 to MAEDC to partially fund legal services/ financial advising/site report for Smurfit Stone site former operations. Original to Cindy Wulfekuhle/OPG.

Request – BCC approved Humane Society of Western MT as a participating organization in County Employee's Combined Charitable Giving Campaign. Original to Cindy Wulfekuhle/OPG.

Letter – BCC signed, dated March 25, 2010 to Governor Schweitzer, Helena, requesting the State to disburse HB130 monies allotted to Montana as part of 2009 legislative session (Mental Health Jail Diversion Funds/\$158,475), as well as an extension for use of said funds through the next fiscal year. Original mailed.

Contract – ML signed. Between County (DUI Task Force) and MT DOT for grant from State Highway Traffic Safety Bureau for Missoula Police Dept. to conduct 12-month Cops in Shops project to reduce youth access to alcohol. Amount/\$14,000. To be completed by March 31, 2011. One original to Scott Brodie/City Police.

Additional discussion item(s): 1) Re-addressing of property off Mullan Road; and 2) CDBG Program Income/RLF Account update.

**FRIDAY, MARCH 26, 2010**

BCC met in regular session; quorum present. JC out of office all day.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

**MONDAY, MARCH 29, 2010**

BCC met in regular session; all three present.

Replacement Warrant - ML signed. Andrew Thomas, Missoula, Principal for Hellgate Elementary Warrant #31263, issued March 19, 2010 on County Payroll Fund. Amount/\$282.14 (for wages). Warrant not received in mail; no bond of indemnity required.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Clearwater Junction Subdivision – Creation of a Phasing Plan (action).

Letter – BCC signed, dated April 2, 2010 to John Richards, Seeley Lake, approving phasing plan for Clearwater Junction Subdivision, subject to amended conditions of approval.

**TUESDAY, MARCH 30, 2010**

BCC met in regular session; all three present.

Replacement Warrant - ML signed. Johnson Brother's Retail Outlets, Inc., Missoula, Principal for Motor Vehicle Warrant #11919, issued February 6, 2009. Amount/\$8.00 (for refund lien). Warrant not received in mail; no bond of indemnity required.

**ADMINISTRATIVE MEETING**

Request – BCC reviewed/approved County Treasurer's Office request to charge \$30 for returned NSF checks, effective July 1, 2010. Original to Vickie Zeier/Treasurer.

Lease Purchase Agreement – BCC signed, dated March 30, 2010. Between County and PHC for purchase of Creamery facility. Payments in accordance with Attachment A of lease. Term: 20 years to 3/30/2030. Two originals to Kim Mansch/PHC for further signatures/handling.

Memo – BCC approved/signed Memo, dated March 30, 2010, to Scott Lyders/AFSCME MT council 9 AFL-CIO, regarding a County employee grievance issue. BCC concurs management had just cause to terminate employment. Original to Steve Johnson/HR.

Letter – BCC signed, dated March 30, 2010, to Max/Chad Bauer, Allied Waste, thanking them for ongoing commitment to County's annual Household Hazardous Waste Collection Program, as well as their offer of additional \$10,000 annual funding and a secure location to host this year's event.

Letter – BCC signed, dated March 30, 2010, to Keith Large, MT DEQ, Helena, supporting proposed Administrative Order on Consent for Stimson Mill Cooling Pond cleanup.

Additional discussion item(s): None.

WEDNESDAY, MARCH 31, 2010

BCC met in regular session; all three present.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Dual Obligatee Rider – ML signed, dated March 23, 2010. To be a named insured on excavation bond for Miller Creek Road project (on behalf of L.S. Jensen Construction/Ready Mix).

Amended Agreement – ML signed. Between County (Public Works) and Muth Consulting Engineers, P.C. for construction on Lavalle and Finley Creek Bridges. Reflects additional work required outside original scope of work; adds \$7,120 to contract.

TSEP Request for Funds Form – ML/BC signed. For reimbursement of funds for Contract #MT-TSEP=CG-06-298 (Lavalle and Finley Creek Bridges replacement projects). Final Drawdown Amount/\$256,830.94. Original to Greg Robertson/Public Works.

Request – BCC authorized Public Works to change address for Evan's Tree Farm to comply with County's E911 addressing system. Cost to place road signs <\$300. Original to Tim Elsea/Public Works.

Board Appointment - BCC appointed Dale Jackson to fill Michael Nave's position on the Tax Appeal Board from April 7<sup>th</sup> to approx. May 12, 2010. Mr. Nave is undergoing surgery.

Additional discussion item(s): None.

#### PUBLIC MEETING – MARCH 31, 2010

##### 1. **CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Chief Civil Deputy County Attorney Marnie McClain.

##### 2. **PLEDGE OF ALLEGIANCE**

##### 3. **PUBLIC COMMENT**

Ruth Link

Commissioner Jean Curtiss

##### 4. **ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

###### i. Weekly Claims List - \$475,847.47

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$475,847.47. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### j. Public Announcements

##### 5. **HEARING (Certificate of Survey)**

###### a. Robert & Dawn Braach - Boundary Line Relocation

Chair Michele Landquist opened the hearing.

Marnie McClain, recommended continuing hearing to April 7 (staff report)

Public Comment

Hearing continued to April 7, 2010

##### 6. **OTHER BUSINESS**

##### 7. **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:41 p.m. and will reconvene at 6:00 p.m.

##### 8. **RECONVENE MEETING AT 4:00 PM**

Chair Michele Landquist reconvened the meeting to order at 4:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, and Rural Initiatives Senior Planner Pat O'Herren.

##### 9. **PUBLIC COMMENT PUBLIC ANNOUNCEMENTS**

##### 10. **CONSIDERATION (Continued from March 17, 2010)**

###### a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist opened the hearing.

- Woodworth area, including conceptual clustering plan



- Staff comment, Nancy Heil (staff report).  
 Commissioner Jean Curtiss  
 Staff comment, Pat O'Herren  
 Ryan Chapin (PowerPoint)  
 Commission comments  
   Staff comment, Nancy Heil  
 Public Comment  
   Jack Rich
- Placid Lake  
 Chair Michele Landquist/Nancy Heil introduced the topic  
 Public Comment  
   Jim Barfknecht  
   Jim Masar  
   Dick Ainsworth  
   David McEwen  
   Susan Macer  
   Wally Bell  
   Walt Hill  
     Commissioner Jean Curtiss and Walt Hill  
     Staff comment, Nancy Heil and discussion  
   Tom Beers  
   Dan Poole  
   Charles Lubrecht  
   Kathleen Simms  
     Staff comment, James McCubbin  
   Eileen Burgess-Watson  
   David McEwen  
   Dick Ainsworth  
     Chair Michele Landquist, Commissioner Jean Curtiss, and Dick Ainsworth  
   Staff comment, Nancy Heil  
   Chair Michele Landquist comment  
   Kathleen Simms  
   John Ployhar  
   John Richards
  - Downtown Seeley Lake, including sewer district boundaries  
 Nancy Heil introduced the topic  
 Public Comment  
   Randy Gordon  
     Questions/Comments from Commission and Randy Gordon  
     Staff comment, Nancy Heil and discussion  
   Emory Johnson and Commissioner Jean Curtiss  
     Randy Gordon  
     Staff comment, James McCubbin  
   Walt Hill  
   Jan Guelff  
   Addrien Marx  
   John Richards  
   Staff comment, James McCubbin
- Commissioners, issues to cover  
 Commissioner Jean Curtiss  
   Staff comment, Nancy Heil and Commissioner Jean Curtiss  
   Staff comment, James McCubbin and Commissioner Jean Curtiss  
   Staff comment, Nancy Heil and discussion  
 Chair Michele Landquist  
 Bruce Bourne  
 Commissioner Jean Curtiss  
   Staff comment, Nancy Heil and discussion  
   Staff comment, Pat O'Herren and discussion  
 Commissioner Jean Curtiss and Nancy Heil  
   Jan Guelff and discussion  
 Commissioner Jean Curtiss and discussion  
 Chair Michele Landquist and discussion  
 Commissioner Bill Carey  
   Nancy Heil, suggestions on deliberations  
 Chair Michele Landquist  
   James McCubbin and discussion  
 Pat O'Herren, clustering, and discussion  
 Nancy Heil, issues from public comment and discussion  
   John Richards and discussion  
   Diane Weatherman and discussion  
 Nancy Heil, issues from public comment and discussion  
 Randy Gordon and discussion  
 Nancy Heil, issues from public comment and discussion  
   Randy Gordon and discussion  
 Nancy Heil, issues from public comment and discussion  
   John Richards and discussion  
 Continuation of discussion  
   Jan Guelff and discussion  
 Nancy Heil, issues from public comment and discussion  
   John Richards and discussion

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Nancy Heil, issues from public comment and discussion  
Shannon Brownlee and discussion  
Nancy Heil, issues from public comment and discussion  
Staff comment, James McCubbin and discussion  
Pat O'Herren and discussion  
Nancy Heil, issues from public comment and discussion  
Walt Hill and discussion  
Bruce Bourne and discussion  
John Richards and discussion  
Nancy Heil, staff procedure  
Next meeting April 21, Room 201, 4:00 p.m. and then in Seeley Lake (tentative)

**11. OTHER BUSINESS**

**12. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 7:11 p.m.

MISSOULA COUNTY COMMISSIONERS' JOURNAL: APRIL, 2010
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BCC = BOARD OF COUNTY COMMISSIONERS

ML = Commissioner Michele Landquist, Chair

JC = Commissioner Jean Curtiss

BC = Commissioner Bill Carey

The following Claims Lists were signed during the month of APRIL 2010:

Date Signed	Claims List Date	Who signed	Amount
April 2, 2010	April 1, 2010	BCC	\$41,729.86
			\$31,495.72
April 5, 2010	April 5, 2010	BCC	\$14,294.46
April 6, 2010	April 6, 2010	BC, ML	\$133,452.42
			\$15,553.61
			\$4,754.03
			\$28,889.50
April 7, 2010	April 6, 2010	BCC	\$23,790.31
			\$15,020.61
April 7, 2010	April 7, 2010	BCC	\$14,913.00
			\$22,066.97
			\$9,786.23
April 7, 2010	April 7, 2010	BCC	\$79,223.17
			\$27,560.03
April 8, 2010	April 7, 2010	BCC	\$16,061.32
April 8, 2010	April 8, 2010	BCC	\$14,687.68
			\$1,824.16
April 9, 2010	April 8, 2010	BCC	\$2,109.69
			\$8,158.67
April 12, 2010	April 12, 2010	BCC	\$84,831.00
April 12, 2010	April 12, 2010	BC, ML	\$423.89
April 13, 2010	April 12, 2010	BCC	\$40,967.55
			\$33,788.65
April 13, 2010	April 13, 2010	BCC	\$17,311.59
			\$48,896.52
			\$5,896.17
April 14, 2010	April 14, 2010	BCC	\$22,028.14
			\$10,786.85
			\$78,250.70
			\$84,123.96
April 15, 2010	April 14, 2010	BCC	\$125.00
			\$1,273,019.66
			\$121,779.36
April 15, 2010	April 15, 2010	BCC	\$50.00
April 16, 2010	April 15, 2010	BC, ML	\$50,840.28
April 19, 2010	April 19, 2010	BCC	\$1,219.09
			\$132,568.66
			\$37,335.81
			\$33,192.77
			\$40,581.03
April 20, 2010	April 20, 2010	BCC	\$16,109.27
			\$189,841.41
April 20, 2010	April 20, 2010	BC, ML	\$523.00
April 21, 2010	April 21, 2010	BCC	\$4,412.77
			\$16,739.24
			\$170,246.52
April 22, 2010	April 21, 2010	BCC	\$5,000.00
April 23, 2010	April 22, 2010	BCC	\$300.00
April 26, 2010	April 26, 2010	BCC	\$922.44
			\$111,174.93
			\$29,030.78
April 27, 2010	April 26, 2010	BCC	\$42,350.06
			\$17,763.99

April 27, 2010	April 27, 2010	BCC	\$59,704.73
			\$12,184.26
			\$8,473.37
			\$3,476.88
			\$11,334.50
			\$21,513.92
April 28, 2010	April 28, 2010	BC, ML	\$14,171.78
			\$7,734.28
April 29, 2010	April 29, 2010	BCC	\$1,620.43
			\$61,530.55
			\$4,830.92
			\$13,108.22
			\$3,120.59

All Claims Lists were returned to the Accounting Department.

#### THURSDAY, APRIL 1, 2010

BCC met in regular session; all three present.

#### ADMINISTRATIVE MEETING

Form 990 – JC signed, dated April 1, 2010. *Return of Organization Exempt From Income Tax* form for County's Comprehensive Medical Benefit Plan, completed by Anderson Zurmuehlen. Original mailed to AZ.

Contract – ML signed, dated April 1, 2010. Between County (PHC) and DPHHS for HIV Case Management services. Amount/up to \$45,000. Term: April 1, 2010-March 31, 2011. Three originals to PHC for further signatures/handling.

Letter – BCC signed, dated April 1, 2010 to Governor Schweitzer, Helena, setting forth merits of Big Flat Road Project and importance of HB645 funds.

Letter – BCC signed April 1, 2010 to U.S. Dept. of Education, supporting MCPS's application for a 2010 GRAA Grant to Reduce Alcohol Abuse amongst students in four high schools. Original to JC.

Additional discussion item(s): 1) Ravalli County Strategic Plan of Operations CDBG Application; 2) Seeley Lake Sewer District Annual Fee Assessment Hearing.

#### FRIDAY, APRIL 2, 2010

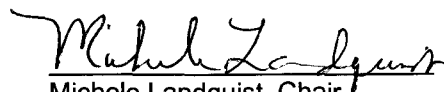
BCC met in regular session; all three present.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending March 31, 2010.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending March 31, 2010.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 7/CY2010 - Pay Date/March 26, 2010. Total Payroll/\$1,187,725.44. To County Auditor.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

#### MONDAY, APRIL 5, 2010

BCC met in regular session; all three present. Evening: BCC participated in Joint Public Hearing with City Council re: Open Space Projects.

Site Visit: JC accompanied Steve Smith on site visit to Woodworth Road.

Replacement Warrant - ML signed. Alyssa Anderson, Missoula, Principal for Payroll Warrant #31309989, issued March 26, 2010 on County Payroll Fund. Amount/\$249.23 (for wages). Warrant not received in mail; no bond of indemnity required.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending March 31, 2010.

Planning Status Meeting – BCC/OPG Staff. Agenda (*all action items*): 1) Public Comment; 2) Garnet View Lots Plat Extension; 3) Mountain Acres Plat Extension; 4) Pontiac Commercial Development Phasing Plan.

Letter – BCC signed, dated April 13, 2010 to Nathan Smith, Missoula, approving one-year extension (to April 9, 2011) of final plat submittal deadline for Garnet View Lots Subdivision.

Letter – BCC signed, dated April 13, 2010 to Nathan Smith, Missoula, approving one-year extension (to April 9, 2011) of final plat submittal deadline for Mountain Acres No. 2, Lot 8 Subdivision.

Letter – BCC signed, dated April 13, 2010 to Matt Whetzel, Arlee, approving phasing plan for Pontiac Commercial Development Subdivision, as follows: 1) Phase 1 (Lots 6-8), April 10, 2015 deadline; 2) Phase 2 (Lots 4-5), April 10, 2017 deadline; 3) Phase 3 (Lots 1-3), April 10, 2019 deadline.

**TUESDAY, APRIL 6, 2010**

BCC met in regular session; all three present. Morning: JC attended City Club Missoula event, held at Holiday Inn Parkside. Afternoon: BCC attended Mountain Line Open House & Bus unveiling, held at 1221 Shakespeare. JC also participated in Public Health Improvement Task Force conference call.

Indemnity Bond – ML signed. Jennie L. Gue, Missoula, Principal for Mountain Line Warrant #83072213, issued January 8, 2010. Amount/\$121.57 (for uniform reimbursement). Warrant lost.

**ADMINISTRATIVE MEETING**

Modification #1 – ML signed. To contract 510040 between City-County Health Department and MT DEQ regarding public water supply inspections for 2<sup>nd</sup> half of FY 2010. Amendment increases maximum reimbursement to County from \$5,000 to \$7,000. All other provisions remain unchanged. Two originals to Julie Mohr/Health Dept.

Resolution No. 2010-036 – BCC signed, dated April 6, 2010. Budget Amendment for Rural Initiatives to provide new project account for \$50,000 DNRC Mining Reclamation Planning Grant (Kennedy Creek). For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2010-037 and Documents – BCC signed, dated April 6, 2010. Budget Amendment for OPG to reflect \$17,325 State CDBG Planning Grant on behalf of Poverello Center. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County. BCC also signed Signature Certification Form and ML signed Designation of Depository to First Interstate Bank for CDBG funds. Two originals to Cindy Wulfekuhle/OPG.

Contract – ML signed. Between County (PHC) and MT DPHHS for Ryan White Part B AIDS Drug Assistance Program Medication Dispensing Services. Amount/\$40,000. Term: April 1, 2010-March 31, 2011. Three originals to Brenda Lynch/PHC for further signatures/handling.

Additional discussion item(s): 1) Use of Training Drive; BCC will schedule site visit; 2) Lyle Health Award Presentation.

**WEDNESDAY, APRIL 7, 2010**

BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Application – ML signed, dated April 7, 2010. Treasure State Endowment Program application for Spring Meadows Sewer Project. Original to Greg Robertson/Public Works.

Contract – BCC did NOT approve. With SK Geotechnical to perform a soils analysis on Tract 'C' of COS 5807. [Not approved due to Cooney Buy-Back Extension; see below]. Three originals returned to Marie Pruitt.

Buy-Back Extension – BCC signed, dated April 7, 2010. Extends Buy-Back Agreement from May 2, 2010 to May 2, 2011 for property owned by Scott Cooney (Tract C-1 of COS #5891/filed January 10, 2007). Property is to be purchased by Norman Parmiter within 30 days of this Extension. One original each to Cooney and Parmiter.

Additional discussion item(s): None.

**PUBLIC MEETING – APRIL 7, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, County Parks Coordinator Lisa Moisey, Survey Technician Steve Smith, and Public Works Survey Technician Tony Holloway.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

Cedric Hanes

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

- a. Weekly Claims List - \$355,746.72  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$355,746.72. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.
- b. Public Announcements

**5. HEARING (Certificate of Survey; continued from March 31, 2010)**

- a. Braach (Robert & Dawn) Boundary Line Relocation  
Chair Michele Landquist opened the hearing.  
James McCubbin reviewed the staff report. (Additional Information 1 and 2)  
Applicant presentation, Rob Braach  
Public Comment  
Susan Doores  
Rob Braach  
Commissioner Jean Curtiss  
Staff comment, James McCubbin  
Executive Session  
Commissioner Bill Carey  
Staff comment, James McCubbin  
Commissioner Jean Curtiss  
Commissioner Bill Carey made a motion that the Board of County Commissioners make a finding that there's not an attempt to evade subdivision review by the applicants and that they approve the boundary line relocation. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**6. DECISION (from March 10, 2010 Hearing; continued from March 24, 2010)**

- a. Petition to Abandon a Portion of Woodworth Road (Emerald Lake Estates) - E of Salmon Lake  
Chair Michele Landquist opened the hearing.  
Steve Smith and Commissioner Jean Curtiss presented the viewer's report (staff report). (Staff Presentation)  
Staff comment, James McCubbin and Steve Smith  
Commissioner Jean Curtiss comment, James McCubbin, and Steve Smith  
Toby Dumont, PCI and Steve Smith  
Questions from Commission  
Staff Presentation and discussion  
Public Comment  
Executive Session  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the viewer's report as stated by Steve [Smith] and submit the drawings as shown. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**7. HEARING**

- a. Request from Horseman's Council to Construct Western Events Arena at Equestrian Park (Big Sky Park)  
Chair Michele Landquist opened the hearing.  
Lisa Moisey presented the staff report.  
Ginny Schuler  
Chair Michele Landquist comment  
Questions from Commission  
Continuation of Lisa Moisey's staff report  
Public Comment  
Bill Dahlgren  
Barbara Howe  
Executive Session  
Commissioner Bill Carey, error in staff report  
Commissioner Jean Curtiss and Bill Dahlgren  
Commissioner Bill Carey made a motion that the Board of County Commissioners approve an amendment to the 1998 Tower Street Park Complex Management and Utilization plan to allow a development of the Western Events Arena as proposed by the Missoula Horseman's Council, subject to the following conditions: (1) Include an ADA compliant seating design in the plans for the amphitheater-style seating. These plans must be reviewed and approved by the Missoula County Building Inspector and (2) A Zoning Compliance Permit is required for this project. A site plan shall be submitted to the Office of Planning and Grants showing access to and from the site, all existing uses, structures, parking, and landscaping. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**8. OTHER BUSINESS****9. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:22 p.m. and will reconvene at 6:00 p.m.

**10. RECONVENE MEETING AT 6:00 PM**

Chair Michele Landquist reconvened the meeting at 6:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin and Rural Initiatives Senior Planner Karen Hughes.

**11. PUBLIC COMMENT****12. HEARING****a. North Lolo Growth Policy Update & Rural Special Zoning District**

Chair Michele Landquist opened the hearing.

Karen Hughes presented the staff report and Administrative Amendments. (PowerPoint)

Public Comment

Paul Rossignol and discussion

Gary Bueller

Mark Bellon

Sue Hadnot and discussion

William Geer

Ken Allen

Mira Schultz

Alex Beal

Sue Hadnot and discussion

Executive Session

Commissioner Bill Carey and discussion

Commissioner Jean Curtiss and discussion

Chair Michele Landquist and discussion

Commissioner Jean Curtiss

Mark Bellon and Commissioner Jean Curtiss

Staff comments, Karen Hughes and James McCubbin

Discussion

Chair Michele Landquist

Ken Allen

Commissioner Jean Curtiss

Staff comment, Karen Hughes and discussion

Ken Allen

Commissioner Jean Curtiss and Karen Hughes and list of amendments

Karen Hughes, list of amendments

Questions from Commission

Commissioner Jean Curtiss made a motion that the Board of County Commissioners remove the viewshed retention provision under resource transition zoning classification as proposed by staff. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners remove the words "maximum base density" and "four units per acre" in the Ponderosa Heights Subdivision zoning classification as proposed. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners under home occupation conditional use to replace the home occupation description and standards in the conditional use section of the rural special zoning district with those that are included in Section 4.03.d of Missoula County Zoning Regulations. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment

Chair Michele Landquist comment

Commissioner Jean Curtiss comment and discussion

Staff comment, Karen Hughes

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend definitions in the town residential zoning classification on page 12 to include townhouses as one of the residential uses, to add a definition for townhouses, and in the Town Residential zoning classification to add townhouses as a permitted use and add a side yard setback exception, as proposed by staff. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss and discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the recommended administrative amendments as proposed on the memo dated April 7, 2010. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, James McCubbin, Karen Hughes and discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend page 9 under residential, #3, space and bulk requirements to put back in what Planning Board took out, "when connected to sewer and water, two dwelling units per acre."

Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. Clarification on motion. Commissioner Jean Curtiss clarified her motion to read, "Maximum Base Density -- When connected to water and sewer ..... Two Dwelling Units per acre. When not connected to water and sewer ..... One Dwelling Unit per Acre." Commissioner Bill Carey seconded the clarification. The motion carried on a vote of 3-0.

Staff comment, Karen Hughes and discussion

Denise Pfau

Karen Hughes, clarification of language and discussion

Commissioner Jean Curtiss, clarification

Denise Pfau

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend all the sections in the zoning proposal under site constraints that talk about 25% slope to add, "There will be exceptions for construction on existing lots that don't have a buildable site because of the 25% slope as long as it comes as close as possible to meeting the zoning." In addition, if staff has language that's more readable, their language would be allowed. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Karen Hughes, addressed all issues and discussion

Commissioner Jean Curtiss, parking discussion

Staff comment, James McCubbin, findings and conclusions and discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Resolution of Intent to Adopt the North Lolo Growth Policy Amendment as Addendum 1 of the 2002 Lolo Regional Plan based on the findings of fact and conclusions of law contained in the staff report and public comment received tonight as amended by the Planning Board and amended by the Commission. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Resolution of Intent to Adopt the North Lolo Rural Special Zoning District as authorized under Chapter 6 of the Missoula County Zoning Resolution be approved and apply same to the area currently under the North Lolo Interim Zoning as shown on Map 2, based on the findings of fact and conclusions of law contained in the staff report and comments received tonight as amended by the Planning Board and the County Commission. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Karen Hughes, explanation of process

### 13. OTHER BUSINESS

### 14. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 8:00 p.m.

## THURSDAY, APRIL 8, 2010

BCC met in regular session; all three present. Morning: JC accompanied Peter Nielsen, et al in Gateway Site visit/Bonner History Center. Evening: JC participated in Forest Jobs & Recreation Act Panel Discussion, held at UM Gallagher Business Building.

### ADMINISTRATIVE MEETING

Amendment – BCC signed, dated April 8, 2010. To Missoula County Employee Benefits Plan re: 1) Medical coverage to be 70% after deductible met; 2) Chemical dependency/mental & nervous conditions coverage to be 70% subject to Utilization Review for Inpatient Hospital Admission, etc.; and 3) Dental: Nitrous Oxide to be covered.

Additional discussion item(s): Personnel grievance issue.

## FRIDAY, APRIL 9, 2010

BCC met in regular session; quorum present. JC out of office all day.

Letter – BCC signed, dated April 8, 2010. To Scott Lyders, Field Rep, AFSCME Council 9. Response denying grievance of Sheriff Department employee. Original to Steve Johnson/HR.

Transportation Ballet – Dated April 9, 2010. ML voted FOR approval of Route 10A: Frenchtown School/new route to alleviate overcrowding on existing route/38.80 miles. Original to Superintendent of Schools.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Accounting files: Accruals. 1/1/2001-12/31/2001. To M. Porter/Records.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC



**MONDAY, APRIL 12, 2010**

BCC met in regular session; all three present. Early evening: BCC attended Historical Museum Accreditation Social Gathering, held at Ft. Missoula.

Planning Status Meeting – BCC/OPG Staff. NO MEETING HELD.

Replacement Warrant - ML signed. John T. Giblin, Jr., Missoula, District Court Warrant #97818, issued July 9, 2007 on 2148 Fund. Amount/\$16.85 (for Jury Duty/mileage). Warrant not received in mail; no bond of indemnity required.

Indemnity Bond – ML signed. Sandy Perrin, Frenchtown, Principal for Extension Warrant #147831, issued February 2, 2010. Amount/\$18.50 (for mileage). Warrant lost.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 8/CY2010 - Pay Date/April 9, 2010. Total Payroll/\$1,176,454.29. To County Auditor.

Resolution No. 2010-038 – BCC signed, dated April 7, 2010. Resolution of Intent to Adopt Amendments to 2002 Lolo Regional Plan as an Amendment to the Missoula County Growth Policy 2005 Update [passed/ adopted at April 7, 2010 Public Meeting].

Resolution No. 2010-039 – BCC signed, dated April 7, 2010. Resolution of Intent to Adopt the North Lolo Rural Special Zoning District as Section 6.13 of the Missoula County Zoning Resolution as shown on Boundary Map attached [passed/ adopted at April 7, 2010 Public Meeting].

**TUESDAY, APRIL 13, 2010**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Letter – BCC signed, dated April 14, 2010 to Anthony Preite, Director, MT DOC, acknowledging receipt of \$52,000 HB 645 (MT Reinvestment Act) funds from Historic Preservation Competitive Grant Program for HVAC System renovations. ML also signed DOC's letter indicating acceptance of the award. Original to Cindy Wulfekuhle/OPG.

Resolution No. 2010-040 – BCC signed, dated April 13, 2010. Budget Amendment for Financial Admin. for transfer to CIP of \$62,124 from Cash Reserves to correct inadvertent exclusion of ER#40 from FY2010. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Request – BCC approved request from Vickie Zeier, County Election Administrator, for \$10,030 County CDBG Program funds to purchase items to enhance accessibility of AutoMarks during elections for the disabled. Original to Cindy Wulfekuhle/OPG.

Transfer Agreement – ML signed Agreement between County and MT DPHHS (Addictive/Mental Disorders Division) for transfer of \$165,000 County funds for Medicaid Match. Term/July 1, 2009-June 30, 2010. Two originals to Peggy Seel/OPG for further signatures/handling

Budget Transfer – BCC signed, dated April 12, 2010. Control No. 10-017 to transfer \$17,500 from Capital Building to CIP accounts in order to reallocate funds that will not be used for current projects. Original to Teresa/Accounting.

Additional discussion item(s): 1) County Strategic Plan for Information Technology; 2) Secure Storage Warehouse update; 3) Blackfoot Cooperators Annual Dinner Meeting.

**WEDNESDAY, APRIL 14, 2010**

BCC met in regular session; all three present.

Site Visit: BC accompanied Lisa Moisey on site visit to Schmautz Park.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Memorandum of Understanding – BCC signed, dated April 14, 2010. Between County and City of Missoula re: extension of City Sanitary Sewer to serve Spring Meadows Addition through proposed RSID 8498. Three originals to Amy Rose/Public Works.

Use Agreement – BCC signed. Between County and "A Rover Runs Through It Agility Club of Missoula" to allow on-going maintenance of canine training area at Fort Missoula Recreation Complex. No direct financial implication. Term/five years. Two originals to Lisa Moisey/Parks for further signatures/handling.

Additional discussion item(s): 1) Lease Lot Roads in Seeley Lake Area; 2) Changes to layout of County Website Homepage.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated April 15, 2010:

- 1) Approving request from Tina Indrehus, Huson, to refund motor vehicle taxes/fees paid in error for vehicle #1366998.
- 2) To Ronald Tipp, Missoula, re: request for refund for Taxpayer ID #90429430. Letter submitted was unclear; BCC requested another letter to clarify questions.
- 3) Approving request from Don Morman, Missoula, to refund penalty/interest for Taxpayer ID #1920801.
- 4) Approving request from Mark Sheets, Thompson Falls, to refund Seeley Lake Refuse & penalty/interest for Taxpayer ID #5822948.
- 5) Denying request from Cindy Wulfekuhle/OPG, Missoula, to refund penalty/interest for Taxpayer ID #902907.
- 6) To Brad Porch, Missoula, re: request for ownership change on tax bills for 81 Shult mobile home. Bill of Sale or title transfer is needed to proceed with request.
- 7) Approving request from Paul Moseley, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #1972169.
- 8) Approving request from Gilbert Johnston, to waive penalty/interest for Taxpayer ID #5862788 for years 2006-2008; deadline for paying delinquent taxes is November 1, 2010.
- 9) Approving request from Arthur Held, Missoula, to waive penalty/interest for Taxpayer ID #3392706.
- 10) Approving request from Rusty/Sandra Richardson, Missoula, to abate 2008 tax bill for Taxpayer ID #2156208.
- 11) Memo to Scott Seitz, Treasurer Tax Collection Clerk, re: request by Campbell Homes to receive provisions in MCA 15-24-209. CH should have inquired what tax situation was upon purchase.

**PUBLIC MEETING – APRIL 14, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Deputy County Attorney James McCubbin.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

**c. Weekly Claims List - \$381,740.09**

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$381,740.09. Chair Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

**d. Public Announcements**

**8. OTHER BUSINESS**

**9. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:39 p.m.

**THURSDAY, APRIL 15, 2010**

BCC met in regular session; all three present.

Plat – BCC signed. Owner-Scott A. Kennedy Family Trust. Kennedy Subdivision, 2-lot subdivision of Tract 4A, COS 5405, located in SE¼ of Section 6, T 16 N, R 14 W, PMM, Missoula County. Total area/14.13 acres.

**ADMINISTRATIVE MEETING**

Contract – BCC signed, dated April 15, 2010. Between County (PHC) and Stacye Johnson for nurse practitioner services at PHC. Amount/\$37.50 hourly. Term/February 22-December 31, 2010. Two originals to Brenda Lynch/PHC.

Resolution No. 2010-041 – BCC signed, dated April 15, 2010. Amending 1998 Tower Street Park Complex & Utilization Plan (aka “Big Sky Park Plan”) to allow development of Western Events Arena at Equestrian Park.

Letter – BCC signed, dated April 15, 2010 to Senators Baucus and Tester, Washington, D.C., supporting S. 3075/North Fork Watershed Protection Act of 2010, and asking them to consider protecting *all* the headwaters of the Flathead River (North, Middle & South Fork drainages) by expanding S. 3075.


Letter – BCC signed, dated April 15, 2010 to Dennis Elliott, Missoula, in response to his letter re: well issues from North Highway 93 construction project. BCC has spoken with MT DOT, and suggested Mr. Elliott also contact MT DNRC for additional input.

Additional discussion item(s): None

**FRIDAY, APRIL 16, 2010**

BCC met in regular session; quorum present. JC attended Mental Health Board/CDC Meeting in Thompson Falls from 9am-2pm.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, APRIL 19, 2010**

BCC met in regular session; all three present. Evening: JC attended Blackfoot Cooperators' Annual Dinner Meeting, held at Lubrecht Experimental Forest.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Canyon River Plat Adjustments/Condition Amendments/Phasing Plan Amendments (*action*); 3) OPG Director's Update.

Letter – BCC signed, dated April 26, 2010 to Canyon River Development, Inc., Missoula, approving Plat Adjustments/Condition Amendments/Phasing Plan Amendments for Canyon River Subdivision.

**TUESDAY, APRIL 20, 2010**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Resolution No. 2010-042 – ML signed, dated April 20, 2010. Relating to Recovery Zone Bond Allocation for Reep, Bell, Laird Project (to purchase property in North Reserve Business Center/construct office building) and Calling a Public Hearing Thereon. Project cost/\$820,000; \$667,000 from Bond issuance. Public hearing to be held May 19, 2010. Four originals to Dorsey-Whitney.

Resolution No. 2010-043 – ML signed, dated April 20, 2010. Relating to Recovery Zone Bond Allocation for Craig Langel Project (to purchase property/office building on Radio Way) and Calling a Public Hearing Thereon. Project cost/\$1,225,000; \$631,000 from Bond issuance. Public hearing to be held May 19, 2010. Four originals to Dorsey-Whitney.

Takeover Agreement – BCC signed. Between County and Great American Insurance Co. ("GA") for Wye Area Sewer Project Phase 2A. Sommer Construction has defaulted; GA will assume contractual obligations. Contract Balance/\$124,889.71.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated April 15, 2010. Amount/\$194,706.05. Document to County Auditor.

Letter – BCC signed, dated April 16, 2010 to Pat McNamee/Bureau Chief, MT Dept. of Administration/ Director's Office of Finance/Budget, Helena, enclosing signed/certified City/County Bonding Authority Application Form requesting \$1.1 million in Recovery Zone Facility Bond capacity for Larchmont Golf Course irrigation infrastructure.

Additional discussion item(s): Milltown briefing with EPA Representatives.

**WEDNESDAY, APRIL 21, 2010**

BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

TSEP Supplemental Conditions Agreement – BCC signed, dated April 21, 2010. To Agreement between County and WGM Group, Inc. (10/27/09) for proposed RSID 8498, Spring Meadows Sanitary Sewer Project. [Certain standard clauses required by TSEP were not included in previous contract.] Amount/\$3,800. Term/January 1 – June 1, 2010. One original to Greg Robertson/Public Works.

TSEP Revised Reimbursement Request – ML, JC signed, dated April 21, 2010. For LaValle Creek and Finley Creek Bridges, increasing request from \$256,830.94 to \$260,351.94. Two originals to Greg Robertson/Public Works.

Agreement – ML signed. #STMGF-60-CP-033 between County and MT DOC for Big Flat Road Project (HB645). Amount/\$320,573.58. All grant monies must be used by September 30, 2010. One original to Greg Robertson/Public Works.

Contract – ML signed. #10-331-74107-0 between County and MT DPHHS (Addictive/Mental Disorders Division) for increased mental health professional response and purchase/installation of padded detention cells. Amount/\$158,475. End date/December 31, 2010. Two originals to K.B. Campbell/OPG for further signatures/handling.

Additional discussion item(s): 1) Crime Victims' Advocates Staff update; 2) Board Training; 3) Public Works Projects update. Other Comments: 1<sup>st</sup> Tuesday in May, BC/JC may have to be involved in an arbitration hearing.

#### **PUBLIC MEETING – APRIL 21, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Public Works Director Greg Robertson.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

e. Weekly Claims List - \$2,092,374.99

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,092,374.99. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

f. Public Announcements

**5. BID AWARD (Public Works)**

a. Road Dust Abatement

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners award the professional services contract for Missoula County 2010 Road Dust Abatement to WE Dust Control and De-Icing. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**6. OTHER BUSINESS**

**7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:34 p.m.

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**8. RECONVENE MEETING (4:00 PM - 7:00 PM)**

Chair Michele Landquist reconvened the meeting at 4:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil and Rural Initiatives Senior Planner Pat O'Herren.

**9. PUBLIC ANNOUNCEMENTS**

**PUBLIC COMMENT**

Kathleen Simms

Process

John Richards

Discussion

**10. CONSIDERATION (Continued from March 31, 2010)**

a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist opened the hearing.

James McCubbin, Plum Creek request, record of hearings from Seeley Lake Community Council, schedule another meeting(s) to discuss these records

Staff comment, Nancy Heil

Nancy Heil presented Draft Amendments (staff report).

Staff comment, James McCubbin

Continuation of Nancy Heil's presentation

Commissioners, process discussion  
Staff comment, James McCubbin

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**Plan Name:**

Commissioners comments  
Public Comment  
John Richards  
Commissioner Jean Curtiss comment  
Gail Vannoy and discussion  
Commissioner discussion  
Staff comment, Nancy Heil  
Further discussion

**Home Industry:**

Commissioner Jean Curtiss comment  
Staff comment, Nancy Heil  
Discussion  
Gary Miller  
Public Comment  
Commissioner Jean Curtiss, explanation of language  
Tim Ravndal  
Chair Michele Landquist and discussion  
Jim Normark

**Industrial:**

Staff comment, Nancy Heil  
Questions from Commission / Discussion  
Public Comment  
John Richards  
Jan Guelff and discussion  
Tim Ravndal  
Addrien Marx  
Kathleen Simms and discussion  
Tim Ravndal and discussion  
Jim Normark and discussion

**Resource Protection Lands:**

Staff comment, Nancy Heil  
Public Comment  
Loren Hicks  
David McEwen  
Jim Moose  
Milt Datsopoulos and discussion  
Milt Datsopoulos  
George Frasca  
Gary Miller  
John Richards and discussion  
Staff comments, James McCubbin and Nancy Heil  
Jon Haufler  
Sydney Burgess  
Kathleen Simms and discussion  
Jon Haufler  
Ruth Link  
Tim Ravndal  
Commissioner discussion  
Additional Public Comment  
Sydney Burgess  
Kathleen Simms  
Chair Michele Landquist comment

**Clustering:**

Questions from Commission / Discussion  
Staff comment, Nancy Heil  
Public Comment  
Jim Moose  
Kathleen Simms  
Walt Hill  
Staff comment, Nancy Heil  
Staff comment, James McCubbin and discussion  
Kathleen Simms  
Commissioner Jean Curtiss comment  
Staff comment, James McCubbin and Commissioner Jean Curtiss  
Staff comment, Nancy Heil, James McCubbin, and discussion  
John Richards  
Staff comment, Nancy Heil  
Chair Michele Landquist

## PUBLIC COMMENT

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Discussion on future meetings, next meeting May 19, 4:00 to 7:00 p.m.

Tim Ravndol

Commissioner Jean Curtiss

Nancy Heil, what to cover at future meeting and discussion

Jon Haufler and discussion

John Richards and discussion

## 11. OTHER BUSINESS

## 12. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 7:06p.m.

## THURSDAY, APRIL 22, 2010

BCC met in regular session; quorum present. Morning: JC participated in Lyle Heath Awards presentation, held at City Life Center. Morning: BC attended National Crime Victims' Rights Week Walk of Remembrance & Bench Dedication, held at Toole Park. Noon: ML panelist at "Careers in Civil Service Luncheon" (*Ask-an-Alum Networking Program*), held at UC Center. Late afternoon: JC attended MCAT's 20<sup>th</sup> Anniversary Celebration.

ADMINISTRATIVE MEETING

Request – BCC approved request from Jack Buell Trucking for refund of personal property taxes paid on Wood Chipper used in Idaho State in 2009. Original to Vickie Zeier/Clerk & Recorder.

Request – BCC approved request to write-off list of NSF checks five years and older. Original to Vickie Zeier/Clerk & Recorder.

Contract – BCC signed, dated April 15, 2010. Between County (PHC) and State of MT for *Healthy MT Kids* CHIPRA Outreach/Enrollment (#10-11-2-01-015-0). Base funding/\$7,500; total not to exceed /\$32,130. Term: April 1, 2010-September 25, 2011. Four originals to Brenda Lynch/PHC for further signatures/handling.

Resolution No. 2010-044 – BCC signed, dated April 22, 2010. Appointing Ravalli County Attorney(s) (George Corn, et al) to act as Special Prosecutors in criminal case involving family members of county attorney's office employee.

Stipulation – BCC signed *Stipulation for Entry of Judgment* to fulfill settlement of litigation in Lipski/Watterworth case. Three originals to James McCubbin for further signatures/handling.

Contract – BCC signed, dated April 22, 2010. Between County and Sentinel Mechanical to replace boiler in T-1 Building/Ft. Missoula. Amount/\$48,360. Term/April 19-September 15, 2010. Two originals to Larry Farnes/Facilities Maintenance.

Contract – ML signed, dated April 22, 2010. Between County and DPHHS (on behalf of MT Children's Trust Fund) to support Healthy Start Coordinator position and outreach. Amount/\$10,750. Original to Peggy Seel/OPG.

Request – BCC approved following names of potential members of Substance Abuse Prevention Mill Levy review team: Jean Curtiss, Michelle Shaffer, Linda Green, Cindy Bartling, Jori Frakie and Beth Hugeot. Original to Peggy Seel/OPG.

Resolution No. 2010-045 – BCC signed, dated April 22, 2010. Petition to alter portion of Woodworth Road, located in N½ of Section 33, T 16 N, R 14 W, PMM, Missoula County. [Approved at 4/7/10 Public Meeting].

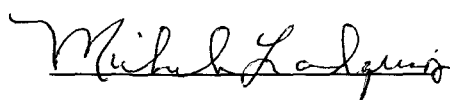
Additional discussion item(s): 1) Missoula Indian Center; 2) County Post Election Audit Committee (staff to put as Action Item for May 6<sup>th</sup>).

## FRIDAY, APRIL 23, 2010

BCC met in regular session; all three present. Morning: JC, Peter Nielsen, et al attended meeting re: Bonner Milltown Gateway, held at FWP Office. BC participated in tour of Poverello Center with Ellie Hill, et al.



Vickie M. Zeier  
Clerk & Recorder



Michele Landquist, Chair  
BCC

## MONDAY, APRIL 26, 2010

BCC met in regular session; all three present.

Plat – BCC signed. Owner-Thomas/Jamie Phillips. Bridger Addition, subdivision located in SW¼ of Section 14, T 11 N, R 20 W, PMM, Missoula County. Total area/5.00 acres. Improvements Agreement/Guarantee relates to street and misc. issues. Completion date/no later than March 10, 2011. Estimated costs/\$28,300; guaranteed by First Security Bank in amount of \$38,205.00.

Replacement Warrant - ML signed. Qwest Communications, Phoenix, AZ, Principal for Accounting Warrant #021105, issued December 14, 2009 on County Frenchtown Fire District Fund. Amount/\$563.57 (for Nov. invoices). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - ML signed. Qwest Communications, Phoenix, AZ, Principal for Accounting Warrant #021177, issued January 11, 2010 on County Frenchtown Fire District Fund. Amount/\$450.12 (for Dec. invoices). Warrant not received in mail; no bond of indemnity required.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 9/CY2010 - Pay Date/April 23, 2010. Total Payroll/\$1,201,881.83. Document to County Auditor.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) O'Keefe Ranch Estates Phasing Plan Amendment – [postponed; see May 3<sup>rd</sup> Journal entry]; 3) OPG Director's Update.

## TUESDAY, APRIL 27, 2010

BCC met in regular session; all three present.

ADMINISTRATIVE MEETING

Resolution No. 2010-046 – ML signed, dated April 27, 2010. Relating to \$73,000 RSID #8497 InterCap Bond for Williams Addition sewer service. Four originals to Dorsey Whitney.

Contract – BCC signed, dated April 27, 2010. Between County and 4G Plumbing & Heating to cool incoming ventilation air to Courthouse heat pumps using ground water. Amount/\$22,875. Term: April 29, 2010-July 25, 2010. Two originals to Larry Farnes/Maintenance.

Notice and Plan – ML signed MT DEQ Water Protection Bureau Notice of Intent and Stormwater Pollution and Prevention Plan applications for the Big Flat Road project. Original to Greg Robertson/Public Works.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated April 22, 2010. Amount/\$2,380.12. Document to County Auditor.

Additional discussion item(s): Blackfoot Cooperators Meeting update.

## WEDNESDAY, APRIL 28, 2010

BCC met in regular session; quorum present. JC ill/out of office all day. Morning: BC, ML met with City Council, et al re: OPG Interlocal Agreement. Evening: ML attended Target Range Homeowners Association General Meeting, held at Target Range School.

CHIEF ADMINISTRATIVE OFFICER MEETING

Grant Documents – BC signed Signature Page for continued Juvenile Detention grant to help with detention costs. Amount/\$87,645.16 for Missoula County. Original to Gary Elliott/Sheriff's Dept.

Letter – BCC signed, dated April 27, 2010. To Joe Lamson, DNRC Water Resources Division Hearings Unit, Helena, in support of Petition for Declaratory Ruling and Request to Amend Rule 36.12.101(13).

Letter – BCC signed, dated April 30, 2010. To Leslie Weldon, Regional Forester, Northern Region, Missoula, supporting Southwestern Crown of the Continent Collaborative Forest Landscape Restoration Program.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated April 28, 2010. Amount/\$8,466. Document to County Auditor.

Additional discussion item(s): None.

PUBLIC MEETING – APRIL 28, 20101. CALL TO ORDER

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss

Staff Present: Chief Administrative Officer Dale Bickell, Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Historical Museum Development Director Diane Sands, Historical Museum Executive Director Robert Brown, and Historical Preservation Officer Philip Maechling.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

## g. Weekly Claims List - \$514,628.39

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$514,628.39. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

## h. Public Announcements

**5. PROCLAMATIONS**

## a. Missoula Volunteer &amp; Youth Volunteer of the Year (Sentinel Kiwanis)

Chair Michele Landquist introduced the proclamation.

Commissioner Bill Carey read the proclamation.

**6. HEARING (First of Two Hearings; Second Hearing May 12, 2010)**

## a. Ordinance Establishing Maximum Speed Limit on Big Flat Road

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Chair Michele Landquist, written public comment

Public Comment

Bob Schweitzer

Christy Franklin and discussion

Scott Bair

Willis Curdy

Harold Ort

Rick Oncken

Dick Mangan and discussion

Staff comments, James McCubbin and Greg Robertson

Roger Austin

Suzanne Schweitzer

Eileen Ort and discussion

Staff comment, Greg Robertson

Christy Franklin

Executive Session

Second hearing, May 12, 2010

**7. HEARING**

## a. Request to Use County R-O-W for Sewer Main Extension (Old Bitterroot Road/PCI Project)

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Gilbert Larson, PCI

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners grant the request by the City of Missoula to extend their sewer system within the Old Bitterroot Road Right-of-Way. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

**8. HEARINGS (Use of Historic Preservation Grant Funds)**

## a. Historic Courthouse Renovation

Chair Michele Landquist opened the hearing.

Philip Maechling presented the staff report.

Public Comment

Staff comment, Dale Bickell

Questions from Commission

Executive Session, no action required, hearing to take public comment only

## b. Historical Museum T-1 Building

Chair Michele Landquist opened the hearing.

Diane Sands presented the staff report.

Public Comment

Staff comment, Philip Maechling

Staff comment, Robert Brown

Diane Sands

Executive Session, no action required, hearing to take public comment only

**9. OTHER BUSINESS****10. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:36 p.m.



**THURSDAY, APRIL 29, 2010**

BCC met in regular session; all three present. Evening: BCC attended Open House/Public Hearing re: Kearsal Module Transport Project); hosted by MDT, held at Meadow Hills Middle School. JC also attended Friends of the Museum Annual Meeting & Grant Creek School Celebration, held at Grant Creek Inn.

Replacement Warrant - ML signed. Mark English, Missoula, Principal for PHC Warrant #102514, issued October 5, 2007 on County #2274 Fund. Amount/\$8.00 (for patient refund). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - ML signed. Ronald Granger, Bonner, Principal for Justice Court Warrant #103361, issued October 23, 2007 on County #1000 Fund. Amount/\$48.28 (for jury duty/mileage). Warrant not received in mail; no bond of indemnity required.

Replacement Warrant - ML signed. Wendy Miskiv, Missoula, Principal for District Court Warrant #115879, issued May 5, 2008 on County #2180 Fund. Amount/\$14.02 (for jury duty/mileage). Warrant not received in mail; no bond of indemnity required.

#### ADMINISTRATIVE MEETING

Mutual Aid Agreement - BCC signed, dated April 29, 2010. Between County and Missoula County Airport Authority for provision of backup 9-1-1 facility. Two originals to Bob Reid/ES for further signatures/handling.

Resolution No. 2010-047 - BCC signed, dated April 29, 2010. Pursuant to Article V of Interlocal Agreement, approves expenditure of \$410,000 of 2006 Open Space Bond funds for acquisition of approx. 216 acres on east side of Mt. Jumbo in Marshall Canyon. [City Council passed Res. #7515 April 5, 2010 authorizing expenditure].

Resolution No. 2010-048 - BCC signed, dated April 29, 2010. Pursuant to Article V of Interlocal Agreement, approves expenditure of \$445,000 of 2006 Open Space Bond funds for purchase of conservation easement on 304 acre parcel in North Hills owned by Allied Waste. [City Council passed Res. #7514 April 5, 2010 authorizing expenditure].

Additional discussion item(s): 1) Hayes Creek Road; 2) Courthouse Centennial Celebration; 3) Space needs update.

**FRIDAY, APRIL 30, 2010**

BCC met in regular session; quorum present. JC out of office all day.

Replacement Warrant - ML signed. Shawn Stewart, Detention Center, Principal for Warrant #100937, issued September 10, 2007 on County Detention #2301 Fund. Amount/\$23.28 (for mileage). Warrant not received in mail; no bond of indemnity required.



Vickie M. Zeier  
Clerk & Recorder



Michele Landquist, Chair  
BCC

## MISSOULA COUNTY COMMISSIONERS' JOURNAL: MAY, 2010

BCC = BOARD OF COUNTY COMMISSIONERS

ML = Commissioner Michele Landquist, Chair

JC = Commissioner Jean Curtiss

BC = Commissioner Bill Carey

The following Claims Lists were signed during the month of MAY 2010:

Date Signed	Claims List Date	Who signed	Amount
May 3, 2010	May 3, 2010	BCC	\$14,348.33
May 4, 2010	May 3, 2010	BCC	\$1,503.94
			\$8,556.76
			\$3,032.81
			\$36,867.69
May 4, 2010	May 4, 2010	BCC	\$9,101.41
			\$3,000.00
May 5, 2010	May 5, 2010	BCC	\$8,631.52
			\$1,498.58
May 6, 2010	May 5, 2010	BCC	\$44,028.36
May 6, 2010	May 6, 2010	BCC	\$252,059.43
May 6, 2010	May 6, 2010	ML, JC	\$20,776.90
May 7, 2010	May 6, 2010	BCC	\$9,768.96
			\$988.75
			\$64,910.90
			\$24,855.47
May 10, 2010	May 10, 2010	BCC	\$40,536.69
May 11, 2010	May 10, 2010	BCC	\$57,451.27
			\$339,048.55
May 11, 2010	May 11, 2010	BCC	\$250.00
			\$306,339.76
May 12, 2010	May 11, 2010	BCC	\$8,150.25
			\$36,359.16
May 12, 2010	May 12, 2010	BCC	\$17,432.89
			\$19,200.77
May 13, 2010	May 12, 2010	JC, BC	\$466,489.29
May 14, 2010	May 13, 2010	JC, ML	\$20,793.73
			\$37,608.13
May 18, 2010	May 18, 2010	BCC	\$7,190.41
May 19, 2010	May 18, 2010	BCC	\$1,104,165.94
			\$4,859.00
May 19, 2010	May 19, 2010	BCC	\$19,608.04
			\$120,969.89
May 20, 2010	May 20, 2010	BCC	\$8,748.95
			\$16,551.67
May 20, 2010	May 20, 2010	JC, ML	\$1,037.00
			\$2,164.98
May 24, 2010	May 20, 2010	BCC	\$21,128.90
			\$30,219.23
May 24, 2010	May 24, 2010	BCC	\$85,378.67
			\$3,833.00
			\$2,395.01
			\$100,164.43
			\$28,679.40
			\$7,233.74
May 25, 2010	May 24, 2010	BCC	\$839.61
			\$11,135.22
			\$100,111.56
May 25, 2010	May 25, 2010	BCC	\$250,611.50
			\$122,369.34
May 27, 2010	May 26, 2010	BC, ML	\$57,868.87
May 27, 2010	May 26, 2010	BC, ML	\$21,406.23
			\$26,729.28

May 27, 2010	May 27, 2010	BC, ML	\$8,785.30
			\$41,017.50
			\$28,693.83

All Claims Lists were returned to the Accounting Department.

#### MONDAY, MAY 3, 2010

BCC met in regular session; all three present.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending April 30, 2010.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending April 30, 2010.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) O'Keefe Ranch Estates Phasing Plan Amendment (*action*); 3) Mike Barton/Target Range Plan.

Letter – BCC signed, dated May 18, 2010 to Mike Barnes/MRB Enterprises, Salem, OR, approving O'Keefe Ranch Estates Subdivision Phasing Plan Amendment, subject to new condition of approval (re: weed management plan) and statement in staff memo dated April 30, 2010 (attached).

Letter – BCC signed, dated May 3, 2010 to Chip Weber, Kalispell, congratulating him on recent appointment with Flathead National Forest, and inviting him to participate in Rural Land Management MOU of 2007 (and attaching same).

Letter – BCC signed, dated May 3, 2010 to Julie King, Hamilton, congratulating her on recent appointment with Bitterroot National Forest, and inviting her to participate in Rural Land Management MOU of 2007 (and attaching same).

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated April 30, 2010. Amount/\$9,495.72. Document to County Auditor.

#### TUESDAY, MAY 4, 2010

BCC met in regular session in morning. BC out of office all afternoon.

#### ADMINISTRATIVE MEETING

Resolution No. 2010-049 – BCC signed, dated May 4, 2010. Granting Petition for Inclusion to RSID 901 for Casey/Sarah Wornath, 5585 Brady Lane, Lolo.

Subdivision Improvements Agreement/ Guarantee for River Estates. BCC signed, dated May 4, 2010. Relates to 10' wide compacted gravel private access to common area/seeding/signage. Completion date/no later than August 8, 2010. Estimated costs/\$13,644; guaranteed by First Security Bank.

Modified Interlocal Agreement – BCC signed, dated May 4, 2010. Between County/City/State on a joint MPDES Small MS4 Stormwater Discharge Co-Permit. City to assume maintenance responsibility of public stormwater improvements included in areas it annexes. Four originals to Greg Robertson/Public Works for further signatures/handling.

Task Order – ML signed. #11-07-5-21-085-0 to County Unified Gov't Master Contract between City-County Health Dept. and MT DPHHS for period July 1, 2005-June 30, 2012 (County WIC Program). Provides Farmers' Market nutrition education/Farmers' Market checks to eligible participants. Amount/\$6,300 for period July 1, 2010-June 30, 2011. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Task Order Amendment – ML signed. To #10-07-5-21-014-0 to County Unified Gov't Master Contract between City-County Health Dept. and MT DPHHS to add \$1,500 funding to administer the WIC Farm Direct for period October 1, 2009-September 30, 2010. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Budget Transfer – BCC signed, dated May 4, 2010. Control No. 10-016 for Parks to transfer \$37,340 from Park Improvements to consultants line item to support County parks/Trails Plan.

Resolution No. 2010-050 – BCC signed, dated May 4, 2010. Approving Target Range Community Farmers Market.

Letter – BCC signed, dated May 12, 2010 to Tom Martin, Environmental Services Bureau, MT DOT, Helena, providing comment on Environmental Assessment prepared for Kearl Sands Transportation Project. BCC believe inadequate time has been provided to fully evaluate the project.

Additional discussion item(s): None.

WEDNESDAY, MAY 5, 2010

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BCC met in regular session; all three present.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending April 30, 2010.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Board Appointment - BCC reappointed Dick Ainsworth to the East Missoula Community Council to serve until the 2011 May Special District Election is held, at which time he must run for the remaining two years of his term to 2013.

Board Appointment - BCC appointed Caryn Miske to the West Valley Community Council to serve until the 2011 May Special District Election is held, at which time she must run for the remaining two years of her term to 2013.

Board Appointment - BCC considered appointment of Ken Richardson to the Missoula Irrigation District (he missed deadline for filing for May 2010 Election). Request was VOIDED; Irrigation Districts can appoint their own members.

Contract - ML signed. (Contingent on Attorney review). Between County and Cerium Networks for Telephone Services' software for new voice mail system. Amount/\$35,479.72 (1<sup>st</sup> year); \$7,976.50 years 2-5. Two originals to Dolezal/Emery for further signatures/handling.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated May 4, 2010. Amount/\$25,337.90. Document to County Auditor.

Additional discussion item(s)

#### PUBLIC MEETING - MAY 5, 2010

##### 1. CALL TO ORDER

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey, Commissioner Jean Curtiss, and Chair Michele Landquist. Absent: None.

Staff Present: Senior Attorney Dori Brownlow.

##### 2. PLEDGE OF ALLEGIANCE

##### 3. PUBLIC COMMENT -- None

##### 4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

###### a. Weekly Claims List - \$192,657.81

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$192,657.81. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

###### b. Public Announcements -- None

##### 5. OTHER BUSINESS -- None

##### 6. RECESS

There being no further business to come before the Board, the meeting was recessed at 1:31 p.m.

THURSDAY, MAY 6, 2010

BCC met in regular session; all three present.

Indemnity Bond - ML signed. Jen Gress, Missoula, Principal for OPG Warrant #30150020, issued March 16, 2010. Amount/\$44.19 (for ARCVIEW 9 workbook). Warrant lost.

Indemnity Bond - ML signed. Rick Greene, Arlee, Principal for Detention Center Warrant #30100935, issued September 10, 2007. Amount/\$18.45 (for mileage reimbursement). Warrant lost.

#### ADMINISTRATIVE MEETING

Contract - BCC signed, dated April 29, 2010. Between County and WE Dust Control & Deicing, Inc. for 2010 dust abatement program. Bid awarded 4/21/10 (based on lowest bid of \$223,470.00). Two originals to Greg Robertson/Public Works.

Resolution No. 2010-051 - BCC signed, dated May 6, 2010. Canceling 2010 June Supervisor Election for Soil Conservation District and electing by acclamation nominees Sidney Wills, Art Pencek and Robert Schroder

Budget Transfer – BCC signed, dated May 4, 2010. Control No. 10-018 for County Tax Increment District to transfer \$796,190 from Development Park Land Acquisitions to Road Construction Projects.

MOU – BCC signed, dated May 6, 2010. Between County and GLR Properties I, LLC, outlining terms of lease/purchase agreement for acquisition of old Garlington/Lohn/Robinson building. Rent/\$280,000 per year; option to purchase in 10 years. One original each to C&R and GLR.

MOU – BCC signed, dated May 6, 2010. Between County and BREDD for Economic Development Planning (FY 2010). Financial Impact/\$9,000. One original each to C&R and Kelly Yarns.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated May 6, 2010. Amount/\$6,897.86. Document to County Auditor.

Bond Documents – ML signed misc. documents, dated May 7, 2010, relating to \$73,000 RSID No. 8497 Inter-cap Bond for Williams Addition sewer service. Four originals to Dorsey, Whitney.

Letter – ML signed, dated May 6, 2010 to Doug Moeller, MT DOT, Missoula, re: speed study/Secondary 263 – Mullan Road. BCC agrees with DOT conclusions that route is signed appropriately, and further study warranted for milepost 8.1 curve.

Additional discussion item(s): 1) Approve structure of County Post Election Audit Committee.

**FRIDAY, MAY 7, 2010**

BCC met in regular session; all three present. Morning: Special Administrative Meeting held.

Site Visit: ML accompanied Greg Robertson & Dolly Stewart on site visit to Training Drive.

**SPECIAL ADMINISTRATIVE MEETING**

Change Order – ML signed, dated May 7, 2010. To Contract between County and Rexius Forest By-Products, Inc. for removal of old irrigation system at Larchmont. Added amount to contract/\$24,000; new Contract Sum/\$1,349,722.

Additional discussion item(s): None.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, MAY 10, 2010**

BCC met in regular session; all three present in morning. BC out of office all afternoon. Morning: JC participated in Multi-County Coordinating Committee on Aging conference call.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Reed Shoreline Permit (action); 3) Lake Benchmark Project; 4) OPG Director's Update.

Shoreline Permit – ML signed. #10-05 for Applicants Bob/Betty Reed to build dock at Lot #17, 2320 Pierce Lake Road, Swan Valley.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 10/CY2010 - Pay Date/May 7, 2010. Total Payroll/\$1,181,083.18. To County Auditor.

Memorandum of Understanding – BCC signed, dated May 6, 2010. Between County and BREDD setting forth understanding between entities for next three years. Amount/\$9,000 annually (subject to appropriation) to the General Fund plus in-kind contributions. One original to Kelly Yarns.

**TUESDAY, MAY 11, 2010**

BCC met in regular session; all three present. Morning: BCC canvassed School & Special District Election. Afternoon: ML participated in filming for *Mutton Bustin'* commercial. Evening: JC attended Disaster Preparedness Presentation, held at St. Patrick Conference Center. ML attended Public Meeting hosted by USDOT/WFLHD re: Petty Creek Road paving project, held at Alberton School.

**ADMINISTRATIVE MEETING**

Contract – ML signed, dated April 30, 2010. Between County and Staci Flynn/Chicks N Chaps, Missoula, for August 12<sup>th</sup> Womens Rodeo Clinic fundraiser at Western MT Fair. Amount/\$475 (rental fee) and \$2,700 (rodeo ticket revenue). One original to Eunice Misbe/Fair.

Resolution No. 2010-052 – ML signed, dated May 11, 2010. Financing \$25,000 and Qualifying "Bonner Hill" as a City Open Space Project, and establishing compliance with Reimbursement Bond Regulations under Internal Revenue Code.

Contract Amendment #1 – BCC signed. Between County and Professional Engineering Services for Spring Meadows Addition Sewer System. Amendment for additional services related to pursuit of funding for proposed RSID. Amount/\$18,700; new contract amount/\$48,745.00. One original to Greg Robertson/Public Works.

Form – ML signed TSEP Request for Funds Form for Preliminary Engineering Grant related to proposed RSID 8498, Spring Meadows Addition Sanitary Sewer. County is eligible for \$15,000 reimbursement. One original to Greg Robertson/Public Works.

Letter – ML signed, dated May 7, 2010 to Phil Inman, CTEP Project Engineer, MT DOT, Helena, stating Greg Robertson/County Public Works Director, is newly designated Environmental Certifying Official for Mullan Road Bike/Pedestrian Path Project (MDT Control #6999)..

Resolution No. 2010-053 – BCC signed, dated May 11, 2010. Adopting 2009 Edition of the International Energy Conservation Code (per adoption by Building Codes Bureau of State of MT Department of Labor/Industry). Effective date/June 26, 2010.

Memorandum of Understanding – BCC approved. Between County (Historical Museum) and US Forest Service for 1910 Fire Exhibit. No financial implications. One original to Bob Brown/Museum for further signatures/handling.

Contract – BCC signed, dated March 23, 2010. Between County and Gregg Potter for Grounds Maintenance at Historical Museum. Amount/\$16,200. Term/April 15 – October 15, 2010.

Interim Contract – BCC signed, dated May 11, 2010. Between County and Linda Stoll for interim legislative services. Amount/\$8,250. Term/April 1 – December 31, 2010. Two originals to Linda Stoll for signature.

Additional discussion item(s): Lolo Zoning protest.

<b>WEDNESDAY, MAY 12, 2010</b>
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BCC met in regular session; all three present.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated May 14, 2010:

- 1) To Cindy Wulfekuhle/OPG, Missoula, re: review of decision to deny request to refund interest for Taxpayer ID #902907. BCC/Deputy County Atty concluded they had no legal grounds to refund the interest of \$7,074.90.
- 2) To David Cotner/Datsopoulos MacDonald & Lind, Missoula, agreeing to write-off remaining balance for Taxpayer ID #80851560 for 1997 personal property tax bill.
- 3) Approving request from Kansas Kilgore, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #2349222.
- 4) Approving request from Ray Tipp, Missoula, to refund/waive penalty/interest for Taxpayer ID #90429430 from 2005-2009.
- 5) Approving request from Lisa Hampa, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #1FMDU34XOPUB10642.
- 6) Denying request from Mark Tate, Stevensville, to refund \$139.09 paid at Mobile Home Tax Auction for Taxpayer ID #90155500.
- 7) To Martin/Dawn Johnson, Missoula, agreeing to adjust 2009 tax base/penalty/interest for Taxpayer IDs #3380409 & 3380303. BCC will request DOR to abate 2006-2008, and will remove RSID 474 from same (2006-2009). Abated bills will be sent.
- 8) To Wesley Redden/DOR, Missoula, stating BCC moved to prepare personal property tax bills for 2008/2009 for temporary legal offices for WR Grace & Co.

CHIEF ADMINISTRATIVE OFFICER MEETING

Replacement Warrant - ML signed. Jenipher Patenaude, Missoula, Principal for Bonner School District #14 Warrant #9235, issued May 10, 2010 on County Payroll fund. Amount/\$1,145.50 (for wages). Crime committed; no bond of indemnity required.

Mastercard Multicard Acknowledgement & Agreement – ML signed Agreement/BCC signed Certificate, dated May 12, 2010. Between County and First Interstate Bank to implement multicard program for County. Cost/\$50 monthly fee for online data system w/first six months free.

Budget Amendments – BCC signed, dated May 12, 2010. Five (5) amendments for PHC to reflect grant income from several sources, and requesting authority to add/expend revenue to misc. entities:

Resolution No. 2010-055 – Covidian Grant. Amount/\$50,000.

Resolution No. 2010-056 – Drug Court Grant. Amount/\$40,400.

Resolution No. 2010-057 – People's Law Center Grant. Amount/\$7,000.

Resolution No. 2010-058 – Swanson Foundation Grant. Amount/\$3,000.

Resolution No. 2010-059 – Safeway Foundation Grant. Amount/\$7,679.

For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2010-054 – BCC signed, dated May 12, 2010. Appointing Special Assistant MT Attorney General Jesse Laslovich to assist in prosecution of State v. Terry Parks. No fee will be charged for attorney time; other normal costs associated with trial will be County's responsibility.

Additional discussion item(s): 1) Bear Creek Road. BCC will schedule decision on whether to proceed with ROW acquisition; 2) 9-1-1 calls in Lake County.

**PUBLIC MEETING – MAY 12, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, and Special Projects Barbara Martens.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

c. Weekly Claims List - \$1,242,158.11

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,242,158.11. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

d. Public Announcements

**5. BID AWARD (Missoula Development Park)**

a. Parks 4, 5, 7 and 8 - Landscape Improvements

Chair Michele Landquist opened the hearing.

Barb Martens presented the staff report.

Questions from Commission

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners award the bid to Valley Landscape, Incorporated for landscape park improvements in County Parks 4, 5, 7, and 8 in the Missoula Development Park. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0. Public Comment

**6. HEARING (Second of Two Hearings, First Hearing April 28, 2010)**

a. Ordinance Establishing Maximum Speed Limit on Big Flat Road

Chair Michele Landquist opened the hearing and reviewed written public comment received.

Staff comment, Greg Robertson (staff report)

Public Comment

Tom Brigham

Christy Franklin

Tammy Tolleson Knee

Peggie Morrison

Staff comment, Greg Robertson and James McCubbin

Executive Session

Staff comment, James McCubbin

Chair Michele Landquist, reading of ordinance

Commissioner Bill Carey made a motion that the Board of County Commissioners adopt the ordinance [presented in the staff report, establishing a maximum speed limit of 35 miles per hour on Big Flat Road]. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

Christy Franklin

Staff comment, Greg Robertson

**7. OTHER BUSINESS**

Peggie Morrison, Target Range Farmer's Market Announcement

**8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:00 p.m.

THURSDAY, MAY 13, 2010

BCC met in regular session; all three present in morning. BC out of office all afternoon.

#### ADMINISTRATIVE MEETING

Amendment #2 – ML signed. To Task Order #10-07-6-11-035-0 between County and MT DPHHS Amendment for Public Health Emergency Preparedness contract. Amendment provides \$80,000 for Phase IV H1N1 vaccination campaign funding. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Memorandum of Agreement – BCC signed, dated May 13, 2010. Between County and Western MT Mental Health Center/Turning Point's SHARE House grant for January 3, 2010-January 2, 2011. Amount/\$147,498. One original and copy to Melissa Gordon/OPG.

Continuum of Care Grantee Closeout Certification for Grants Expiring On or After December 15, 2000 – ML signed, dated May 13, 2010. Between County and HUD Continuum of Care funds for Salvation Army's Gateway Assessment Center Grant, which expired April 30, 2009. HUD will recapture \$5,784.07 that was awarded/not spent. Three originals to Melissa Gordon/OPG for further signatures/handling.

Agreement – ML signed, dated May 13, 2010. Between County and HUD Continuum of Care funds for YWCA Grant (for Gateway Assessment Center) from May 1, 2010-April 30, 2011. Amount/\$61,579. Two originals to Melissa Gordon/OPG for further signatures/handling.

Restriction Agreement – BCC signed, dated April 29, 2010. Between City-County Affordable Homeownership Program and Ladd Seeley (Borrower) for loan of \$14,171.78/first-time homebuyer assistance (5055 Cache Court).

Service Provider Designation Form – BCC signed, dated April 13, 2010. Indicates Missoula Indian Center will not receive earmarked Alcohol Tax Monies for July 1, 2010-June 30, 2011 (but may submit application for FY2012). Original to Peggy Seel/OPG.

Resolution No. 2010-060 – BCC signed, dated May 13, 2010. Budget Amendment for City Open Space Fund. Increases two line items by \$410,000 and \$445,000 (from City Open Space Cash and advance from County Open Space) to acquire Marshall Canyon and North Hills-Allied Waste Open Space lands. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

TSEP Final Closeout Certification – ML signed, dated May 13, 2010. For LaValle and Finley Creek Bridge Projects. All work completed/retention released.

Grant Application/Cover Letter – BCC signed, dated May 13, 2010 to MT DNRC, Resource Development Bureau, Helena, requesting \$50,000 to assist in obtaining elevation data (LiDAR topography) for Swan/Clearwater/Bitterroot Rivers in Missoula County. Signature Page/Letter to Todd Klietz/OPG.

Contract – BCC signed, dated May 13, 2010. Between County and Kloli Event Planning/Consulting for Courthouse Centennial Celebration Project on July 19, 2010. Term/May 13-July 23, 2010. Amount/\$2,192.50. One original to Anne Hughes.

Contract – BCC signed (subject to approval by Cnty Attorney/Risk Mngr), dated May 13, 2010. Between County and Mountain Valley Plant Management LLC for noxious weed management within various areas/MDP. Term/May 1-31, 2010. Amount/\$1,000. One original & copy to Barb Martens/Projects.

Certificate of Substantial Completion – ML signed. To contract between County and Valley Landscape, Inc. (dated July 29, 2009) for Landscape Park Improvements in county parks 3, 4, & 6, MDP. Original to Barb Martens/Projects.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated May 12, 2010. Amount/\$3,766.01. Document to County Auditor.

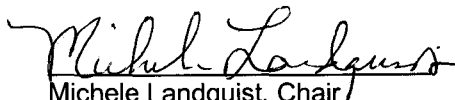
Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated May 13, 2010. Amount/\$21,535.98. Document to County Auditor.

Additional discussion item(s): State expenditure of PPL money (w/James McCubbin).

FRIDAY, MAY 14, 2010

BCC met in regular session; quorum present. BC out of office all day.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

MONDAY, MAY 17, 2010

BCC met in regular session; all three present.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Bissell Acres Discussion (*info*); 3) Johnson's Paradise Acres SLR Final Plan Extension Request; 4) OPG Director's Update.



Letter – BCC signed, dated May 21, 2010 to Kathe Johnson, Missoula, approving one-year extension (to April 30, 2011) of final plat approval deadline for Johnson's Paradise Acres Subdivision for Lease/Rent.

Resolution No. 2010-061 / Ordinance No. 2010-OD-1 – BCC signed, dated May 12, 2010. To establish a Maximum Speed Limit (35 MPH) on Big Flat Road. Public hearings held April 28<sup>th</sup> and May 12, 2010.

**TUESDAY, MAY 18, 2010**

BCC met in regular session; all three present.

Indemnity Bond – ML signed. Christian Gutierrez, Missoula, Principal for Justice Court Warrant #30152703, issued April 19, 2010 on County 2180 Fund. Amount/\$13.00 (for jury duty/mileage). Warrant lost.

**ADMINISTRATIVE MEETING**

Resolution & Notice of Hearing – ML signed Resolution No. 2010-063, dated May 18, 2010. Granting Preliminary Approval and calling a Public Hearing on Dodge LLC, \$450,000 Recovery Zone Facility Bond Project. Notice of Hearing sets public hearing for June 16, 2010 at 1:30 p.m.

Subgrant Application – BCC reviewed/ML signed Justice Assistance Grant submission to MT BOCC for continued funding of West Central MT Drug Task Force for FY2011. Projected grant(s) amount/\$178,303. Originals to Willis Hintz/Sheriff's Dept.

Resolution No. 2010-062 – BCC signed, dated May 18, 2010. Adopting Amendments to the 2002 Lolo Regional Plan as an Amendment to the Missoula County Growth Policy 2005 Update. Public Hearing held April 7, 2010.

Contracts – BCC approved/ML signed seven (7) noxious weed Grant Contracts between County Weed District and MT Department of Agriculture for following:

- 1) #2010-006: Japanese Knotweed Initiative. County cost/\$3,160.
- 2) #2010-005: Swan Valley Cooperative Weed Management Area. County cost/\$2,150.
- 3) #2010-063G: Lower Blackfoot Leafy Spurge Project. County cost/\$2,000.
- 4) #2010-056: Sentinel/South Hills WMA. County/In-kind support & funding facilitation.
- 5) #2010-055: Invasive/Native Plants of MT Educational Poster Series. County cost/\$3,000.
- 6) #2010-004: County New Invaders Task Force. County cost/\$13,804.
- 7) #2010-003: Clearwater River Yellowflag Iris Eradication Project. County cost/\$2,182.

Term for all contracts ends October 31, 2010. One original to Jerry Marks/Weed Dept.

Additional discussion item(s): 1) NRRT Educational Presentation on Kearsley Modular Transport Project; BCC to schedule. 2) Judge MT Meth Project's Paint the State Contest; Anne Hughes to facilitate judging. 3) Building an Inclusive Workplace for Everyone Workshop; no one can attend.

**WEDNESDAY, MAY 19, 2010**

BCC met in regular session; all three present.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Replacement Warrant - ML signed. Sharon Carveli, Clinton, Principal for Clinton School District Warrant #20018885, issued January 1, 2010 on County Payroll fund. Amount/\$149.61 (for wages). Warrant not received in mail; no bond of indemnity required.

Request – BCC authorized Public Works to construct/place of "Dedication" signs for Blackfoot Pedestrian Bridge. Cost will vary; should not exceed \$5,000. Original to Greg Robertson/Public Works.

Contract – BCC signed. Between County and LSA Associated, Inc. for Missoula TDM Evaluation/Enhancement Project (OPG Transportation Division project). Amount/\$125,000. Completion of performance/December 31, 2010. Two originals to Ann Cundy/OPG for further signatures/handling.

Board Appointments - BCC appointed following as members of the Seeley Lake Community Council:

- Steven Johnson: for one year to fill unexpired term until Special District Election in May, 2011; and
- Mary Ann Morin: new three-year BCC-appointed term (June 1, 2010 – May 31, 2013) – to replace Diane Weatherman.

Letter – BCC signed, dated May 24, 2010 to Sue Hadnot, Chair, Lolo Community Council, in response to their letter re: additional pedestrian infrastructure in Lolo area. BCC will include request in next CTEP "Call for Projects."

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated May 19, 2010. Amount/\$17,729.19. Document to County Auditor.

Additional discussion item(s): Public Works Projects Update: a) Request from Lolo Community Council (letter signed/see above); b) Guardsman's Lane at Fort Missoula; c) Bear Creek Road; d) TIGER Grants.

**PUBLIC MEETING – MAY 19, 2010****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Chief Financial Officer Andrew Czorny, and Facilities Director Larry Farnes.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS****e. Weekly Claims List - \$532,081.56**

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$532,081.56. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**f. Public Announcements****PUBLIC COMMENT**

Mike Lake

**5. BID AWARD (Facilities Management)****a. Secure Storage Facility**

Chair Michele Landquist opened the hearing.

Larry Farnes presented the staff report.

Questions from Commission

Public Comment

Questions from Commission

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners accept the bid from Garden City Builders [for building a secure warehouse at 2340 Mullan Road in the amount of \$1,580,700 as the lowest and most responsive bidder]. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**6. HEARINGS (Certificates of Survey)****a. Appeal of Boundary Line Relocation Denial (Widaman)**

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report and additional information; recommended accepting comment and continuing hearing to a later date.

Questions from Commission

Colleen Dowdall, applicant's representative

Chair Michele Landquist

Jason Widaman, approved continuation of hearing

Colleen Dowdall

Staff comment, James McCubbin

Public Comment

Commissioner Jean Curtiss

Staff comment, James McCubbin

Discussion

Executive Session

Discussion

Recessed hearing to June 2, 2010

**b. Laing (Robert & Marilyn) Family Transfer**

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report.

James McCubbin questioned the applicant, Robert H. Laing

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by the Laings to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be any attempt to evade subdivision review. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## c. Grenfell (Roger) Family Transfer

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report.

James McCubbin questioned the applicant, F. Roger Grenfell

Questions from Commission

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the request by F. Roger Grenfell to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## d. Wells (Arvis) Family Transfer

Chair Michele Landquist opened the hearing.

Applicant identified

James McCubbin presented the staff report.

James McCubbin questioned the applicant, Arvis Wells

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Mr. Wells to create two additional parcels by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## 7. HEARINGS

## a. Proposal to Issue Special Limited Obligation "Recovery Zone Facility" Bonds for Reep, Bell &amp; Laird Project

Chair Michele Landquist opened the hearing.

Andrew Czorny presented the staff report.

Richard Reed, applicant and Andrew Czorny

Staff comment, James McCubbin and Richard Reep

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the attached resolution relating to this project on behalf of Reep, Bell and Laird as stated in the Request for Commission Action, [authorizing the issuance of a bond, and allocating a portion of the county's authority to issue recovery zone facility bonds]. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## b. Proposal to Issue Special Limited Obligation "Recovery Zone Facility" Bonds for Craig Langel Project

Chair Michele Landquist opened the hearing.

Andrew Czorny presented the staff report.

Craig Langel, applicant

Questions from Commission

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the attached resolution giving final approval to Mr. Langel's project [on behalf of Craig A. Langel, authorizing the issuance of a bond, and allocating a portion of the county's authority to issue recovery zone facility bonds]. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## 8. OTHER BUSINESS

## 9. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:29 p.m. and will reconvene at 4:00 p.m.

## 10. RECONVENE MEETING (4:00 PM - 7:00 PM)

Chair Michele Landquist reconvened the meeting at 4:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Rural Initiatives Senior Planner Pat O'Herren, and Deputy County Attorney James McCubbin.

## 11. PUBLIC COMMENT

## 12. CONSIDERATION (Continued from April 21, 2010)

## a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist opened the hearing.

Nancy Heil reviewed past meetings and agenda to be covered today. (staff report)

6. Woodworth

Staff comment, Nancy Heil  
 Commissioner Jean Curtiss, read amendment from April 19, 2010 staff memo  
 Questions from Commission  
 Staff comment, James McCubbin  
 Amended language to be brought forward

7. Sewer areas

Staff comment, Nancy Heil  
 Chair Michele Landquist, read amendment from April 19, 2010 staff memo.  
 Staff comment, Nancy Heil  
 Public Comment  
 Amended language to be brought forward

8. Double Arrow

Chair Michele Landquist, read amendment from April 19, 2010 staff memo.  
 Staff comment, Nancy Heil, correction to staff memo  
 Amended language to be brought forward

9. Hospital and Senior Housing

Staff comment, Nancy Heil  
 Chair Michele Landquist, read amendment from April 19, 2010 staff memo  
 Public Comment  
 John Richards and discussion  
 Amended language to be brought forward

10. Pine Drive Commercial

Chair Michele Landquist, read amendment from April 19, 2010 staff memo  
 Walt Hill  
 John Richards and discussion  
 Amended language to be brought forward

11. Residential Use in General Commercial Designation

Chair Michele Landquist, read amendment from April 19, 2010 staff memo  
 Staff comment, Nancy Heil  
 Questions from Commission  
 Nancy Heil, corrected page number  
 Sherry Marihugh  
 Commissioner Jean Curtiss comment  
 John Richards and discussion  
 Sherry Marihugh and discussion  
 Jack Esters and discussion  
 Commissioner Jean Curtiss  
 Staff comment, Nancy Heil  
 Amended language to be brought forward

1. Plan Name

Staff comment, Nancy Heil  
 Sherry Marihugh and discussion  
 Commissioner and staff discussion  
 Plan name of "Seeley Lake Regional Plan" to be brought forward

2. Home Industry

Staff comment, Nancy Heil and discussion  
 Chair Michele Landquist read amendment from April 19, 2010 memo  
 Staff comment, Nancy Heil  
 Amended language to be brought forward, additional change of "would" to "might"  
 Tim Ravndal

3. Industrial

Staff comment, Nancy Heil  
 Sherry Marihugh, back to previous section, Home Industry  
 Staff comment, Nancy Heil, Sherry Marihugh, and discussion  
 Staff comment, Nancy Heil and discussion  
 John Richards and discussion  
 Staff comment, Nancy Heil and discussion  
 Chair Michele Landquist, recommended work on Industrial and bring back next time  
 Staff comment, Nancy Heil, clarification of Commissioners intention  
 Agreement amongst Commissioners for Nancy Heil's clarification  
 Commissioner Jean Curtiss comment and discussion  
 John Richards and discussion  
 Jan Guelff and discussion  
 Jack Esters  
 Language to be brought forward  
 Tim Ravndal

4. Resource Protection Lands

Staff presentation, Pat O'Herren  
**Five-minute break**

Chair Michele Landquist resumed meeting  
Questions from Commission  
Public Comment

BOOK 010 PAGE 0161

Dick Ainsworth  
Sherry Marihugh and discussion  
Staff comment, Pat O'Herren  
Jim Moose and discussion  
Bill VanCanagan and discussion  
Commissioner Jean Curtiss comment  
Staff comment, Pat O'Herren  
Staff comment, James McCubbin and discussion  
Kathleen Simms and discussion  
Commissioner Jean Curtiss and Chair Michele Landquist, process  
John Richards  
Sherry Marihugh  
Tim Ravndal  
Jan Guelff  
Mike Bryan and discussion  
Chair Michele Landquist and discussion  
Commissioner Jean Curtiss comment  
Tom Ide and discussion  
Tim Ravndal  
Next meeting, June 9 in Missoula and June 16 in Seeley Lake (tentative)

### 13. OTHER BUSINESS

### 14. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 7:00 p.m.

Following Public Meeting, ML signed, dated May 19, 2010:

Resolution No. 2010-065 – Relating to Recovery Zone Bond Allocation for Reep/Bell/Laird Project (to purchase property in North Reserve Business Center/construct office building) and issuance of \$667,000 Revenue Bond to finance costs thereof. Public Hearing held May 19, 2010. Four originals to Dorsey/Whitney.

Resolution No. 2010-064 – Relating to Recovery Zone Bond Allocation for Craig Langel Project (to purchase property/office building on Radio Way) and issuance of \$631,000 Revenue Bond to finance costs thereof. Public Hearing held May 19, 2010. Four originals to Dorsey/Whitney.

### THURSDAY, MAY 20, 2010

BCC met in regular session; all three present.

### ADMINISTRATIVE MEETING

Policy – BCC reviewed draft/County Green Building Policy. BCC referred back to Green Committee for minor changes/resolution format for adoption at later date.

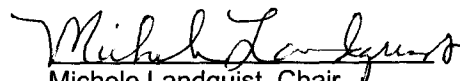
Change Order #1 – ML signed. To contract between County and Buckaroo Construction to reconstruct porch at LaLonde Ranch house. Order increases contract by \$2,338; new contract amount/\$6,152.38. New completion deadline: May 30, 2010. Three originals to Barb Martens/Projects.

Additional discussion item(s): Hayes Creek Road (staff will talk with FS officials about petitioning to abandon portion through FS land).

### FRIDAY, MAY 21, 2010

BCC did not meet in regular session. JC and ML out of office all day.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

### MONDAY, MAY 24, 2010

BCC met in regular session; all three present. Afternoon: ML accompanied Barb Martens, et al in tour of LaLonde Ranch.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Bissell Acres Discussion (info).

TUESDAY, MAY 25, 2010

BCC met in regular session; all three present.

#### ADMINISTRATIVE MEETING

Grant Documents – BCC/ML signed Signature Certification Form/Designation of Depository for Mountain Home MT CDBG \$450,000 Grant from MT DOC (to build apartment units). Two originals to Jean Harte/OPG.

Contract – BCC signed, dated May 25, 2010. Between County and Watershed Consulting, LLC for removal of insect-infested trees at Ravenwood/Mockingbird County Parks. Term: May 25-June 15, 2010. Amount/\$8,225. One original to Lisa Moisey/Parks.

Request – BCC approved County Parks Board recommendation for Spring FY10 Matching Funds Grants to:

- 1) Seeley Lake School (\$4,000) – underground sprinkler system/ballfields at Elementary School
- 2) Potomac-Greenough Community Center (\$4,000 Matching/\$6,000 Capital Funds) – Floor replacement project;
- 3) Traveler's Rest (\$3,000) – Trail construction project.

One original to Lisa Moisey/Parks.

Request – Per SB 155 (2009 Legislature) BCC reviewed request from Vickie Zeier to appoint following three (3) members to the Post Election Audit Committee: Kathryn Sehestedt, Nora Morris & Jeffry Seaton. Members to be sworn in June 4, 2010. Original to Vickie Zeier, C&R/Treasurer.

Contract – ML signed, dated May 25, 2010. Between County and HDR Engineering for design services for Lolo RSID No. 901 District's new pressure reducing station/Well House No. 1. Amount/\$34,541.09. Two originals to Greg Robertson/Public Works for further signatures/handling.

Contract Amendment #6 – ML signed, dated May 25, 2010. Between County and HDR Engineering for Grant Creek Flood Control/Environmental Restoration Project. Amendment for FEMA Letter Of Map Revision submittal assistance. Amount/approx. \$26,000; new contract amount/\$1,009,788.84. Two originals to Greg Robertson/Public Works for further signatures/handling.

Letter – BCC signed, dated May 25, 2010 to DNRC, Renewable Resources Grant/Loan Program, Helena, in support of Clinton Irrigation District's efforts to improve infrastructure of irrigation system for more efficient use of their water right allocation from Clark Fork River.

Letter – BCC signed, dated May 25, 2010 to Regional Administrator/Region 8, Federal Transit Administration, Lakewood, CO, supporting Mountain Line's 5309 Grant Application to rehabilitate Transfer Center/downtown Missoula.

Letter – BCC signed, dated May 25, 2010 to Doug Moeller, MT DOT, Missoula, requesting Speed Study Request for Target Range (Clements Road/South Avenue/South Third Street).

Additional discussion item(s): None.

WEDNESDAY, MAY 26, 2010

BCC met in regular session; all three present.

Replacement Warrant - ML signed. Charles Robison, Missoula, Principal for PHC Warrant #112257, issued March 4, 2008 on 2274 fund. Amount/\$12.00 (for patient refund). No bond of indemnity required.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

County Payroll Transmittal Sheet – BCC signed. Pay Period: 11/CY2010 - Pay Date/May 21, 2010. Total Payroll/\$1,213,902.50. To County Auditor.

Contract – BCC signed. Between County and Steve Earle to serve as County Fairgrounds Director. Term: May 1, 2010-May 1, 2013. Amount/\$70,012.80 yearly. Two originals to Steve Johnson/HR for further signatures/handling.

Change Order #6 – ML signed. To Contract between County and Gregston Construction for remaining sidewalks/trails within MDP. Misc. sidewalk/sod/bollards/irrigation issues. Added amount to contract/\$10,425; new Contract Sum/\$367,042. Two originals to Barb Martens/Projects.

Letters of Appreciation – ML signed (as well as Mayor Engen and Garon Smith, Chair of Health Board), dated May 20, 2010 to volunteers and following businesses assisting with 2009 Influenza Pandemic: Allegra Printing, Community Medical Center, Curry Health Center, Frenchtown School District, Missoula Aging Services, MSU College of Nursing, Skaggs School of Pharmacy, St. Patrick Hospital. Originals to Julie Mohr/Health Dept.

Letter – BCC signed, dated May 26, 2010 to W. Orsello, MT Fish and Wildlife Conservation Trust, Helena, supporting additional funding for Sunset Hill Conservation Easement project.

Additional discussion item(s): None.

**PUBLIC MEETING – MAY 26, 2010****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil and Deputy County Attorney James McCubbin.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

## g. Weekly Claims List - \$2,042,205.08

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,042,205.08. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## h. Public Announcements

**5. CONSIDERATION**

## a. North Lolo Rural Special Zoning District - Review of Zoning Protests and Resolution to Adopt

Chair Michele Landquist opened the hearing.

Nancy Heil presented the staff report. (Original staff report from April 7, 2010)

Questions from Commission

Staff comment, James McCubbin, correction to statute, page 3 of resolution, 76-2-205

Questions from Commission

Staff comment, James McCubbin

Public Comment

Nikki Sardot

Ken Allen

Staff comment, James McCubbin and discussion

Chair Michele Landquist, Ken Allen, James McCubbin and discussion

Executive Session

Commissioner Jean Curtiss, James McCubbin, and discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the North Lolo Rural Special Zoning District as authorized under Chapter 6 of the Missoula County Zoning Resolution to be approved and applied in the area currently under the North Lolo Interim Zoning as shown on Map 2 in Request for Commission Action dated April 7, 2010, based on the findings of fact and conclusions of law contained in that same staff report of April 7, 2010, as amended by the Board of County Commissioners and reflected in our Resolution of Intent to Adopt, including the whereas [statements] that are reflected in the--regarding the litigation that doesn't allow us to count protests. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment

**6. OTHER BUSINESS****7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 1:51 p.m.

BCC signed at Public Meeting: Resolution No. 2010-066 – Dated May 26, 2010. Adopting North Lolo Rural Special Zoning District and Regulations as Section 6.13 of the Missoula County Zoning Resolution. Public hearing held April 7, 2010.

**THURSDAY, MAY 27, 2010**

BCC met in regular session; quorum present. JC on vacation through Friday, June 4<sup>th</sup>. Afternoon: BC accompanied Marcy Allen, et al on Rivertop Renewables Tour (MonTEC).

**ADMINISTRATIVE MEETING**

Contracts – BCC signed, dated May 27, 2010. Between County (PHC) and following for provision of Ryan White Part C Early Intervention Services. Term: April 1, 2010-March 31, 2011.

1) Butte Silver-Bow Health Department. Amount/\$18,000.

2) Flathead City-County Health Department. Amount/\$22,000.

3) Lewis and Clark City-County Health Department. Amount/\$11,000.

Three originals to Brenda Lynch/PHC.

Contract – ML signed. #11-07-3-01-010-0 between County (PHC) and MT DPHHS for implementation of CRC Screening Services and MT Comprehensive Cancer Control Plan. Term: July 1, 2010-June 30, 2011. Amount/\$83,710.

Additional discussion item(s): New and Expanding Industry Tax Credit.

FRIDAY, MAY 28, 2010

BCC did not meet in regular session. ML out of office all day. JC on vacation through Friday, June 4<sup>th</sup>.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

MONDAY, MAY 31, 2010

COURTHOUSE CLOSED IN OBSERVANCE OF MEMORIAL DAY



## MISSOULA COUNTY COMMISSIONERS' JOURNAL: JUNE, 2010

BCC = BOARD OF COUNTY COMMISSIONERS

ML = Commissioner Michele Landquist, Chair

JC = Commissioner Jean Curtiss

BC = Commissioner Bill Carey

The following Claims Lists were signed during the month of JUNE 2010:

Date Signed	Claims List Date	Who signed	Amount
June 1, 2010	June 1, 2010	BC, ML	\$9,364.09
June 2, 2010	June 1, 2010	BC, ML	\$356,040.41
			\$3,963.56
June 4, 2010	June 2, 2010	BC, ML	\$2,572.14
June 4, 2010	June 3, 2010	BC, ML	\$49,139.53
			\$5,293.58
			\$34,021.20
			\$4,356.05
			\$1,782.45
			\$41,881.93
			\$23,191.38
June 7, 2010	June 7, 2010	BCC	\$30,854.45
June 9, 2010	June 9, 2010	BCC	\$193,663.25
			\$19,683.12
			\$7,319.78
			\$4,305.77
			\$6,031.89
			\$1,197,698.82
June 10, 2010	June 9, 2010	BCC	\$20,063.77
			\$83,816.04
June 10, 2010	June 9, 2010	BC, JC	\$4,295.90
June 11, 2010	June 10, 2010	BCC	\$91,976.52
June 14, 2010	June 14, 2010	BCC	\$21,173.27
			\$635.00
June 15, 2010	June 14, 2010	BCC	\$623,721.54
			\$25,495.09
			\$19,771.45
			\$1,726.50
June 15, 2010	June 15, 2010	BCC	\$22,151.90
June 16, 2010	June 16, 2010	BCC	\$5,373.49
June 16, 2010	June 16, 2010	BCC	\$51,990.95
			\$139.00
June 18, 2010	June 17, 2010	BC, JC	\$18,072.98
			\$6,120.50
			\$31,923.17
			\$29,419.33
June 21, 2010	June 17, 2010	ML, JC	\$10,109.94
June 21, 2010	June 18, 2010	ML, JC	\$71,290.36
			\$34,171.56
June 21, 2010	June 21, 2010	ML, JC	\$4,057.16
June 22, 2010	June 21, 2010	BCC	\$19,204.44
June 22, 2010	June 22, 2010	BCC	\$35,007.81
			\$32,292.49
June 23, 2010	June 23, 2010	BCC	\$73,200.45
			\$11,346.44
			\$1,846.06
June 24, 2010	June 24, 2010	JC, BC	\$14,306.46
			\$36,243.95
			\$316.58
			\$114,915.14

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June 24, 2010	June 24, 2010	JC, ML	\$20,520.00
			\$7,562.86
			\$16,746.09
			\$44,882.71
June 28, 2010	June 25, 2010	BCC	\$4,944.83
June 28, 2010	June 28, 2010	BC, ML	\$56,548.31
			\$100,836.31
			\$31,021.37
June 30, 2010	June 29, 2010	BCC	\$691.42
			\$2,894.28
June 30, 2010	June 30, 2010	BCC	\$4,830.60

All Claims Lists were returned to the Accounting Department.

#### TUESDAY, JUNE 1, 2010

BCC met in regular session; quorum present. Afternoon: BCC attended *Crown of the Continent Celebration* held in Ovando. JC on vacation through Friday, June 4<sup>th</sup>.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Pioneer Acres Phasing Plan Amendment (*action*); 3) OPG Director's update.

Letter – BCC signed, dated June 28, 2010 to Bill/Ramona Holt, Lolo, approving phasing plan amendment for Pioneer Acres Subdivision (subject to conditions of approval as amended). Approved changes: final plat submittal deadlines of September 16, 2012 (Phase 1) and September 16, 2014 (Phase 2).

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 2, Karen A. Orzech, Justice of the Peace, for month ending May 31, 2010.

Monthly Report - ML examined/approved/ordered filed the Monthly Reconciliation Report for Justice Court 1, John E. Odlin, Justice of the Peace, for month ending May 31, 2010.

#### ADMINISTRATIVE MEETING

Grant – ML signed Noxious Weed Trust Fund Project Agreement (MDA 2010-002) between County Weed District and MT Dept. of Agriculture for Missoula Conservation Lands Restoration Research Project. Amount/\$8,624; City Parks/Rec to provide \$5,669 match funding. Term: to October 31, 2011. One original to Jerry Marks/Weed District.

Grant – ML signed Noxious Weed Trust Fund Project Agreement (MDA 2010-062G) between County Weed District and MT Dept. of Agriculture for Clearwater Watershed Weed Treatment/Mapping. Amount/\$26,649. Term: to October 31, 2011. One original to Jerry Marks/Weed District.

Grant – BCC signed USEPA National Clean Diesel Campaign Agreement between and Montana Rail Link to retrofit 34 MRL diesel locomotives to reduce emissions/conserves fuel. Amount/\$1,130,000. Term: to July 31, 2011. Two originals to Ann Cundy/OPG for further signatures/handling.

Additional discussion item(s): None.

#### WEDNESDAY, JUNE 2, 2010

BCC met in regular session; quorum present. JC on vacation through Friday, June 4<sup>th</sup>.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Letter and MOU – BCC signed Non-Supplantation Letter to Susan Carbon, Director, OVAW, Washington, DC, dated June 2, 2010, and ML signed Memorandum of Understanding re: USDOJ OVW 2010 Engaging Men in Preventing Sexual Assault/Domestic Violence/Dating Violence/Stalking Grant Program Concept Paper. No funds awarded will be used to supplement existing program activities/services. The MOU for grant submission is between County (OPG) and CVA Program, along with Missoula YWCA, NCBI, WORD, MVP Program, Missoula Planned Parenthood, and Missoula Forum for Children and Youth. Amount/\$300,000 over two years. Originals to Shantelle Gaynor for further signatures/handling.

Budget Amendments – BCC signed, dated June 2, 2010. Two (2) amendments for Health Dept. to reflect reduction in city tax revenue contributions by 2.8% for FY2010 to address shortfalls in city revenue:

Resolution No. 2010-067 – Health Fund: Phone Basic Charge/Lab Supplies & NC Equipment. Amount/\$31,306.

Resolution No. 2010-068 – Animal Control: Lab Supplies & NC Equipment; reduction. Amount/\$6,605.

For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Agreement/Statement of Work – ML signed. Between County and MT Dept. of Administration/ITSD for Ground Control Database Enhancement. Term/through September 28, 2010. Amount/\$300 per point for data collection; not to exceed \$27,000. Two originals to Greg Robertson/Public Works.

Additional discussion item(s): None.

**PUBLIC MEETING – JUNE 2, 2010**

**1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Bill Carey and Chair Michele Landquist. Absent: Commissioner Jean Curtiss.

Staff Present: Deputy County Attorney James McCubbin.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

a. Weekly Claims List - \$553,869.07

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$553,869.07. Chair Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

b. Public Announcements

**5. HEARING (Certificate of Survey) (continued from May 19, 2010)**

a. Appeal of Boundary Line Relocation Denial (Widaman)

Chair Michele Landquist opened the hearing.

James McCubbin reviewed the past meeting and presented additional information (staff report).

Applicant's representative presentation, Colleen Dowdall (PowerPoint)

Staff comment, James McCubbin, requested five-minute break

Questions from Commission

Break

Staff comment, James McCubbin

Colleen Dowdall

Staff comment, James McCubbin

Discussion

Jason Widaman

Staff comment, James McCubbin

Discussion

Colleen Dowdall

Discussion

Commissioner Bill Carey comment

Colleen Dowdall, Jason Widaman, and Commissioner Bill Carey

Chair Michele Landquist comment

Discussion

Hearing continued to June 30

**6. OTHER BUSINESS**

**7. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:51 p.m.

**THURSDAY, JUNE 3, 2010**

BCC did not meet in regular session; BC attended Missoula Housing Summit's *A Search for Solutions*, held all day at the Holiday Inn. JC on vacation through Friday, June 4<sup>th</sup>.

Monthly Report - ML examined/approved/ordered filed Monthly Reconciliation Report for Clerk of District Court, Shirley E. Faust, for month ending March 31, 2010.

ADMINISTRATIVE MEETING – CANCELED (Quorum unavailable)

**FRIDAY, JUNE 4, 2010**

BCC met in regular session; quorum present. Late morning: BCC swore in Post-Election Audit Committee. JC on vacation through Friday, June 4<sup>th</sup>.

County Payroll Transmittal Sheet – BCC signed. Pay Period: 12/CY2010 - Pay Date/June 4, 2010. Total Payroll/\$1,196,847.36. To County Auditor.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Registers dated May 20, June 4, and June 5, 2010. Amount/\$42,428.61. Document to County Auditor.

*Vickie M. Zeier*

Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*

Michele Landquist, Chair  
BCC

**MONDAY, JUNE 7, 2010**

BCC met in regular session; all three present. Evening: BCC held Joint Public Hearing with City Council re: Open Space projects, held at City Council Chambers.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) OPG Director's update.

**TUESDAY, JUNE 8, 2010**

BCC did not meet in regular session; ML and JC worked at the Primary Election polls.

ADMINISTRATIVE MEETING – CANCELED (Quorum unavailable).

**WEDNESDAY, JUNE 9, 2010**

BCC met in regular session; all three present.

Indemnity Bond – ML signed. Kris Crawford, Missoula, Principal for Target Range School Warrant #15051285, issued May 29, 2009 on County Claims Fund. Amount/\$125.42 (for Little White School House supplies). Warrant lost.

**CHIEF ADMINISTRATIVE OFFICER MEETING**

Request – BCC approved request from Clerk & Recorder's office for exception to sick leave grant policy to allow employee (B. Leroy) to exceed 240-hour cap for calendar year 2010. BCC extended cap by additional 60 hours. Original to Steve Johnson/HR.

Contract & Addendum #1 – ML signed, dated May 14, 2010. Between County and Valley Landscape, inc for park landscape improvements in Parks 4, 5, 7 & 8, MDP. Addendum clarifies irrigation and start time. Term of contract upon signing/45 days. Amount/\$233,040. . Five originals to Barb Martens/Projects for further signatures/handling.

Agreement – BCC signed, dated May 28, 2010. Between County and Rob Smets to co-announce Bullorama/assist with Mutton Bustin' at Western MT Fair. Term/August 9–10, 2010. Amount/\$2,000. One original to Eunice Misbe/Fair.

Letter of Understanding – ML signed. Effective June 10, 2010. Between County and Michael Burks for 2010 Western MT Fair Christian Concert to be held on August 15, 2010. Use of Fair area/\$6,000. Letter also addresses outstanding balance of 2009 Christian Concert, issues re: Missoula Maulers bus/shower trailer/billboard. One original to Eunice Misbe/Fair.

Request – BCC authorized opening 45-day Public Comment Period on the spending of \$243,000 County federal funds under Title III of Secure Rural Schools and Community Self-Determination Act. Funds will be used to carry out activities under Firewise Communities Program. Original to Bob Reid/ES.

Resolution No. 2010-070 – BCC signed, dated June 10, 2010. Establishing the Missoula County Green Building Policy to encourage/promote green building practices of all County-owned facilities.

Resolution No. 2010-069 – BCC signed, dated June 10, 2010. Authorizing Application to Assist Kelly Logging Inc. with a MT DOC Community Development Block Grant (for working capital needs).

Additional discussion item(s): Rocky Mountain Capitol Consulting Contract.

**PUBLIC MEETING – JUNE 9, 2010****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Chief Administrative Officer Dale Bickell, Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Principal Grants Administrator Cindy Wulfekuhle, Water Quality District Supervisor Peter Nielsen, and Public Works Financial Manager Jeff Seaton as Green Building Committee Chair.

**2. PLEDGE OF ALLEGIANCE****3. PUBLIC COMMENT****4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

c. Weekly Claims List - \$193,092.71

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$193,092.71. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

d. Public Announcements

**5. BID AWARD (Public Works)**

a. 2010 Asphaltic Plant Mix

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the contract for the 2010 Asphaltic Plant Mix to Knife River in the amount of \$451,500.00 [as the lowest and most responsive bid]. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. Public Comment

**6. HEARING**

a. Submit CDBG Application on Behalf of Kelly Logging

Chair Michele Landquist opened the hearing.

Cindy Wulfekuhle presented the staff report.

Questions from Commission

Public Comment

Jerry Kelly

Questions from Commission

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve Missoula County submitting the application for CDBG Block Grant to the Department of Commerce [on behalf of Kelly Logging, Inc. as presented in the staff report]. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**7. CONSIDERATION**

a. Adopt Resolution Establishing Missoula County Green Building Policy

Chair Michele Landquist opened the hearing.

Jeff Seaton explained the County Green Government Committee.

Peter Nielsen presented the staff report.

Public Comment

Jill Beauchesne

Executive Session

Commissioner comments

Commissioner Bill Carey made a motion that the Board of County Commissioners adopt the resolution establishing the Missoula County Green Building Policy [as presented in the staff report]. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**8. CONSIDERATION (Certificate of Survey)**

a. Faith Bible Church Boundary Line Relocation Proposal

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report.

Applicant's presentation, Don Smith

Questions from Commission

Public Comment

Chris Gregory

## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Faith Bible Church to create one additional buildable parcel by use of the boundary relocation exemption based on the fact there does not appear to be an attempt to evade subdivision review. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**9. OTHER BUSINESS****10. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:15 p.m.

**11. RECONVENE MEETING (4:00 PM - 7:00 PM)**

Chair Michele Landquist reconvened the meeting at 4:00 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, and Rural Initiatives Senior Planner Pat O'Herren.

**12. PUBLIC COMMENT**

Jan Guelff

Jack Greenwood, Chair Michele Landquist, and Commissioner Jean Curtiss

John Richards

**13. CONSIDERATION (Continued from May 19, 2010)**

## a. Seeley Lake Regional Land Use Plan

Chair Michele Landquist opened the hearing.

Nancy Heil reviewed and presented the staff report regarding Resource Protection Recommendations dated May 20, 2010 (original staff report and April 19 Draft Amendments).

Staff comment, Pat O'Herren, and Commissioners regarding biomass direction

Tim Davis, Montana Smart Growth, presentation (PowerPoint)

Questions from Commission

Staff comment, Pat O'Herren and Chair Michele Landquist

Public Comment

Jack Esters and discussion

Dick Ainsworth

Joan Bishop

Staff comment, Nancy Heil and Pat O'Herren and discussion

Dick Kreitzberg and discussion

Dick Ainsworth, Dick Kreitzberg, and discussion

Audrey Troutwine

Staff comment, James McCubbin

Sydney Burgess and discussion

Jan Guelff

Brianna Randahl

Gail Vannoy

Jim Moose

Jack Esters

John Richards

Sara MacMillan

David McEwen

Kathleen Simms and discussion

Dick Ainsworth and discussion

Eileen Burgess Watson and discussion

John Richards

Jan Guelff

Gail Vannoy

Staff comment, James McCubbin, discussion of process

Commissioner Jean Curtiss

Kathleen Simms

Commissioner Bill Carey

Staff comment, Pat O'Herren

Chair Michele Landquist and explanation of process

John Richards and discussion

Next Meeting: Wednesday, June 16, 2010, 4:00 p.m., Room 201, Courthouse Annex

**14. OTHER BUSINESS****15. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 6:44 p.m.

Tax Abatement Requests – At meeting with Clerk & Recorder, BCC approved following letters dated June 14, 2010:

- 1) To Laurie Lane, Missoula, stating County Atty's Office will research state law to determine if her property meets criteria for cancellation of delinquent taxes.
- 2) Approving request from Russell Dexter, Lolo, to refund overpayment of taxes for Taxpayer ID #5908941 from 2005-2008.
- 3) Approving request from Jolene Saylor, Huson, to refund penalty/interest for Taxpayer ID #90250940 for 2009 mobile home tax bill.
- 4) Denying request from George Denman, Bonner, to remove 2006/2007 mobile home taxes for Taxpayer ID #90255806.
- 5) Approving request from Kathy McGann, Missoula, to refund penalty/interest for Taxpayer ID #1979900 (contingent on proof payment was sent).
- 6) Approving request from Heather Wilson, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #1998916.
- 7) Approving request from Harold Carter, Missoula, to refund penalty/interest for Taxpayer ID #295805 for 1<sup>st</sup> half 2009 real estate taxes.
- 8) Approving request from Karen Slattery, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #JTEBU11F070049811.
- 9) Approving request from Bennett Law Office, Missoula, to refund motor vehicle taxes/fees paid in error for vehicle #1G8ZV57747F187270.
- 10) Approving request from Pavel Pifort, Missoula, to refund penalty/interest for Taxpayer ID #90429749 for 2<sup>nd</sup> half of 2009 mobile home tax bill.
- 11) To Rusty/Sandra Richardson, Missoula, stating Wes Redden (DOR) indicated that 2008 taxes for Taxpayer ID #2156208 should not be abated because property was taxed properly.
- 12) To Mark Walter, Bonner, stating Wes Redden (DOR) denied their request for refund of overpayment of taxes 2005-2008 for Taxpayer ID #5865319 because DOR was denied access to their property.

<b>THURSDAY, JUNE 10, 2010</b>
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BCC met in regular session; all three present. Morning: BCC attended Northern Rockies Rising Tide (educational presentation on Kearsarge Transport Project), held in Room 201, Courthouse.

ADMINISTRATIVE MEETING

Grant Contract – ML signed. #STMGF-60-HP-10-035 between County and MT DOC for HB 645 Historic Preservation Competitive Grant funds in amount of \$52,000 for Courthouse HVAC upgrades. Two originals to Philip Maechling/OPG for further signatures/handling.

2011 Budget Enhancement Requests – BCC reviewed/approved combination of two Facilities Management requests to add a Building Operator and use another staff to maintain County grounds. Amounts: \$42,500 and \$2,470. Original to Andrew Czorny/CFO.

Budget Transfer – BCC signed, dated June 10, 2010. Control No. 10-020 in amount of \$2,000 for Clerk of District Court to move line items from Permanent Salaries (because of vacancy) to Temporary Salaries Fringe.

2011 Budget Enhancement Request – BCC reviewed/approved Clerk of District Court Temporary Employee request in amount of \$8,000. Original to Andrew Czorny/CFO.

Contract – BCC signed, dated June 7, 2010. Between County and Hyalite Engineers, PLLC to serve as County Fire Inspector/subdivision fire reviews. Total amount/up to \$20,000/yearly. Term/three years-starting June 11, 2010. One original to Denise/OPG.

Amendment – ML signed, dated June 10, 2010. #2 to November 19, 2007 Agreement between County and HDR Engineering, Inc. for RSID 8901/Lolo Wastewater Treatment Plant. Amendment addresses Phase 2A upgrade/expansion to meet future MDEQ requirements. Total amount/\$192,300. Three originals to Greg Robertson/Public Works for further signatures/handling.

Contract Award – BCC awarded contract to Professional Consultants, Inc. for Upper Miller Creek Road Reconstruction Project. Originals to Greg Robertson/Public Works.

Resolution No. 2010-071 – BCC signed, dated June 10, 2010. Creating RSID #8926 for purpose of maintaining Cheyenne Lane. (Petition signed by 100% of landowners).

Road Inventory Form – BCC signed, dated June 10, 2010. Acceptance #2010-01. For Cheyenne Lane [see Resolution #2010-071 above].

Amendment – ML signed, dated June 10, 2010. #4 to Agreement between County and HDR Engineering, Inc. for Lewis & Clark Subdivision. Amendment incorporates creation of ARRA-required Operating/Maintenance Manual. Total amount/\$4,876.10; new total contract amount/\$206,752.18. Two originals to Greg Robertson/Public Works.

CDBG Contract – ML signed. #MT-CDBG-09HR-02 between County and MT DOC for Mountain Home MT Public Facilities/Housing Project. Amount/\$450,000. Two originals to Jean Harte/OPG for further signatures/handling.

Subrecipient Agreement – BCC signed, dated June 10, 2010. Between County and Mountain Home MT, Inc. pertaining to \$450,000 CDBG Grant received for construction of independent living apartments at 2606 South Avenue for single parents w/children. One original to Jean Harte.

Contract – ML signed, dated June 10, 2010. Between County and Garden City Builders to construct Secure Warehouse at Detention Facility. Total amount/\$1,580,700. Term/310 days from date Contract is executed. Two originals to Larry Farnes/Facilities Management.

Bylaws – BCC approved/signed Evaro-Finley-O'Keefe Community Council Bylaws (after minor edits made by BCC and reviewed by County Attorney). Original to Laurie Hire/RI for further signatures/handling.

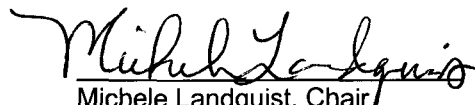
Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated June 9, 2010. Amount/\$2,943.89. Document to County Auditor.

Additional discussion item(s): Update on Turning Point's use of Alcohol/Tobacco Monies (w/Skip Rosenthal).

**FRIDAY, JUNE 11, 2010**

BCC met in regular session; all three present.

  
Vickie M. Zeier  
Clerk & Recorder

  
Michele Landquist, Chair  
BCC

**MONDAY, JUNE 14, 2010**

BCC met in regular session; all three present.

Indemnity Bond – ML signed. Lisa Saunders, Missoula, Principal for Clerk of Court Warrant #35326, issued May 11, 2010 on County Trust Fund. Amount/\$200 (for child support). Warrant lost.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) Burns Shoreline Permit (action); 3) Merrill Acres Subdivision; 4) Target Range Plan Pre-Public Hearing information; 5) OPG Director's update.

Shoreline Permit – ML signed. #10-07 for Applicant Craig/Barbara Burns to remove existing access & dock and build compliant stair access & dock at Lot #9 of Diamond Bar L Ranch Lakeshore Tracts, Cygnet Lake.

**TUESDAY, JUNE 15, 2010**

BCC met in regular session; all three present.

**ADMINISTRATIVE MEETING**

Resolution No. 2010-072 – BCC signed, dated June 15, 2010. Policy Resolution of Compliance with regulations of the Hatch Act. Also appoints Director of Human Resources as Hatch Act Information Officer to bring info to County officials/employees. Action is result of \$450,000 CDBG Grant from MT DOC for Mountain Home Montana.

Budget Transfer – BCC signed, dated June 1, 2010. Control No. 10-019 in amount of \$11,000 to provide three unique project codes for three (3) Spring FY10 County Parks Matching Grants.

Resolution No. 2010-073 – BCC signed, dated June 15, 2010. Financing \$150,000 and Qualifying "Sunset Hill" as a City Open Space Project, and establishing compliance with Reimbursement Bond Regulations under Internal Revenue Code. Conservation easement will be purchased on 3,440 acres owned by The Nature Conservancy.

Memorandum of Agreement – BCC signed, dated May 27, 2010. Between County Parks Board and Seeley Lake School District 34 for up to \$4,000 Capital Matching Fund Program/Spring FY09 grant money for park development (underground sprinkler system in ballfields at Elementary School). Funds must be spent by May 30, 2012. One original to Lisa Moisey/County Parks.

Additional discussion item(s): Renovation project at Lolo Elementary School/new entrance plans.



WEDNESDAY, JUNE 16, 2010

BCC met in regular session; all three present.

Indemnity Bond – ML signed. Sherry Sayles, Missoula, Principal for Financial Services Warrant #31304306, issued September 12, 2008 on County Payroll Fund. Amount/\$249.93 (for wages). Warrant lost.

Indemnity Bond – ML signed. Lynn Kurtz, Frenchtown, Principal for Financial Services Warrant #31290837, issued February 3, 2006 on County Payroll Fund. Amount/\$54.04 (for wages). Warrant lost.

Indemnity Bond – ML signed. Lynn Kurtz, Frenchtown, Principal for Financial Services Warrant #31290954, issued February 17, 2006 on County Payroll Fund. Amount/\$382.54 (for wages). Warrant lost.

Indemnity Bond – ML signed. Darin Ferguson, Missoula, Principal for Financial Services Warrant #31300505, issued December 7, 2007 on County Payroll Fund. Amount/\$149.08 (for wages). Warrant lost.

#### CHIEF ADMINISTRATIVE OFFICER MEETING

Grant Application – ML signed. Approval of \$7,500 Special County Noxious Weed Grant from MT Dept. of Agriculture for any purpose; no matching dollars required. Two originals to Jerry Marks for further signatures/handling.

Contract – ML signed. Between Western MT Fair and County Tavern Owners Association for 2010 Fair Beer Garden concession. Total Fair income: \$30,000(+). Term/August 10-15, 2010. One original to Eunice Misbe/Fair.

Contract Rider and Addendum – ML signed. Between Western MT Fair (Rocky Mountain Talent Services/Michele Landquist) and Poor boy Productions, Inc./Creedence Clearwater Revisited for August 14, 2010 performance at Fair. Total amount/\$50,000 for contract/rider requirements for meals/ground transportation/misc. items. Term/August 10-15, 2010. Three originals to Eunice Misbe/Fair for further signatures/handling.

Agency Agreement – BCC signed, dated June 8, 2010. Between PHC and United Way of Missoula County, setting forth terms of relationship between them. Term/July 1, 2010-June 30, 2011. Three originals to Brenda Lynch/PHC.

Contract – ML signed. Between PHC and Mary Jane Nealon for oversight/coordination of HB 130 funds for PHC. Total amount/\$14,978. Term/January 20-December 31, 2010. One original to Eunice Misbe/Fair.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated June 15, 2010. Amount/\$3,841.23. Document to County Auditor.

Additional discussion item(s): 1 Public Works Department update; 2) Cooney Buy-Back Proposal.

#### PUBLIC MEETING – JUNE 16, 2010

##### **1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:31 p.m.

Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Tim Worley, and Chief Financial Officer Andrew Czorny.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

Bonnie Pickering White

Questions from Commission

Staff comment, James McCubbin, Bonnie Pickering White, and discussion  
Samantha Schoeneman

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

e. Weekly Claims List - \$2,348,903.10

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,348,903.10. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

f. Public Announcements

##### **5. PROCLAMATION**

a. University of Montana Retirees' Day

Chair Michele Landquist introduced the proclamation.

Commissioner Jean Curtiss read the proclamation.

**6. HEARING**

- a. Proposal to Issue Special Limited Obligation "Recovery Zone Facility" Bonds for Dodge Holdings, LLC Project  
Chair Michele Landquist opened the hearing.  
Andrew Czorny presented the staff report.  
Applicant's presentation, Samantha Schoeneman, Andrew Larson, Greg Midget  
Public Comment  
Chair Michele Landquist comment  
Executive Session  
Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the attached resolution [to the staff report], giving approval to the project and allocating a portion of the County's authority to issue Recovery Zone Facility Bonds. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**7. CONSIDERATION**

- a. Merrill Acres (2 lots on 3.17 acres) - Hellgate Lane in Turah area (verbatim transcription)  
Chair Michele Landquist opened the hearing.  
Tim Worley presented the staff report. (Staff memo dated June 16, 2010)  
Developer's representative presentation, Dale McCormick  
Roger Smith, developer  
Chair Michele Landquist comment  
Questions from Commission  
Staff comment, James McCubbin  
Dale McCormick and Chair Michele Landquist  
Public Comment  
Executive Session  
Commissioner Bill Carey made a motion that the Board of County Commissioners adopt staff's recommended amendments, clarifying surveying requirements for Condition of Approval #6."  
Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.
- Commissioner Bill Carey: made a motion that the Board of County Commissioners approve Merrill Acres Subdivision based on the findings of fact in the staff report and subject to the amended recommended conditions of approval in the staff report. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

**8. OTHER BUSINESS****9. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:31 p.m. and will reconvene at 4:00 p.m.

**10. RECONVENE MEETING (4:00 PM - 7:00 PM) - Room 201, Courthouse Annex**

Chair Michele Landquist reconvened the meeting at 4:00 p.m.  
Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Deputy County Attorney James McCubbin, and Rural Initiatives Senior Planner Pat O'Herren.

**11. PUBLIC COMMENT****12. CONSIDERATION (Continued from June 9, 2010)**

- a. Seeley Lake Regional Land Use Plan  
Chair Michele Landquist opened the hearing.  
Nancy Heil reviewed today's meeting process, future meetings (June 16, 2010 staff memo, May 20, 2010 Resource Protection Recommendations, original staff report, April 19, 2010 Draft Amendments).  
Questions from Commission  
Nancy Heil  
Staff comment, Pat O'Herren (response to questions posed by Kathleen Sims)  
Agency Comments on Resource Protection  
Mike Thompson, Fish, Wildlife, & Parks (Fish, Wildlife, and Parks has written response to Kathleen Sims question)
- Chris Serhveen, US Fish and Wildlife Service  
Additional New Public Comment  
Jack Greenwood  
Bill VanCanagan  
Commissioner Jean Curtiss and Bill VanCanagan  
Jan Guelff  
Staff comments, Nancy Heil and James McCubbin  
Dick Ainsworth  
Kathleen Sims  
Walt Hill

Mike Thompson, Fish, Wildlife, & Parks  
 Carol Evans and discussion  
 Staff comment, Nancy Heil  
 Addrien Marx  
 Walt Hill  
 John Richards  
 Carolyn Jenkins  
 Charles Lubrecht  
 Gail Vannoy and discussion  
 Dick Ainsworth

Staff comment, Nancy Heil  
 Commissioner Jean Curtiss comment  
 Additional New Public Comment

David McEwen  
 Gail Vannoy and discussion  
 Carolyn Jenkins  
 Walt Hill  
 Eileen Watson  
 Dick Ainsworth  
 John Richards and discussion  
 Lauren Hicks

Chair Michele Landquist comment, review of meeting schedule, next meeting July 29 in Seeley Lake, 6-9 p.m., place to be announced  
 Commissioner Jean Curtiss comment

### 13. OTHER BUSINESS

Jack Greenwood  
 Kathleen Sims  
 Staff comment, James McCubbin  
 Staff comment, Pat O'Herren

### 14. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 5:49 p.m.

Following Public Meeting: ML signed Resolution No. 2010-074, dated June 16, 2010. Approving Dodge Holdings, LLC \$450,000 Recovery Zone Facility Bond Project; authorizing issuance of Bond therefore. Public Hearing held June 16, 2010. Four originals to Dorsey, Whitney.

## THURSDAY, JUNE 17, 2010

BCC did not meet in regular session; JC at Mental Health Board Meeting, held in Bozeman. ML out ill. Evening: JC and BC attended Public Hearing re: Seeley Lake Sewer Assessment, held at The Barn.

ADMINISTRATIVE MEETING – CANCELED (Quorum unavailable).

### PUBLIC HEARING – JUNE 17, 2010 – 6:00 P.M. (SEELEY LAKE SEWER ASSESSMENT)

#### 1. CALL TO ORDER

Acting Chair Jean Curtiss called the meeting to order at 6:40 p.m.

Commissioners Present: Commissioner Jean Curtiss and Commissioner Bill Carey and. Absent: Chair Michele Landquist.

Staff Present: Rural Initiatives Senior Planner Pat O'Herren.

Seeley Lake Missoula County Sewer District Committee Members Present: Glen Morin, Mike Lindemer, Tom Morris, Robert Skiles, and Manager Randy Gordon.

Introductions

#### 2. HEARING

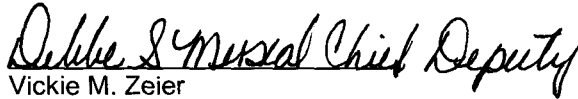
- a. Seeley Lake Missoula County Sewer District Assessment for Fiscal Year 2011  
 Acting Chair Jean Curtiss opened the hearing and gave a background of the assessment.  
 Randy Gordon presented the staff report.  
 Public Comment  
 Walt Hill and Randy Gordon  
 David Whitesett  
 Penny Kopps and Randy Gordon  
 Bill Bogardus  
 Don Larson  
 Addrien Marx  
 Sandra Irons  
 Commissioner Jean Curtiss comment  
 Glen Morin and Commissioner Jean Curtiss  
 Randy Gordon  
 Bill Bogardus  
 Commissioner Jean Curtiss  
 Don Larson  
 David Whitesett and Commissioner Jean Curtiss

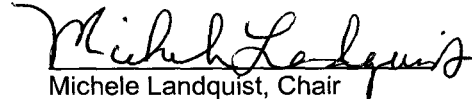
Walt Hill and Commissioner Bill Carey  
 Sandra Irons and Commissioner Jean Curtiss  
 Commissioner Bill Carey, Commissioner Jean Curtiss, and Randy Gordon  
 Penny Kopps  
 Staff comment, Pat O'Herren  
 Commissioner Jean Curtiss and Randy Gordon  
 Addrien Marx and Randy Gordon  
 Don Larson, Commissioner Bill Carey and Commissioner Jean Curtiss  
 Commissioner Bill Carey recommendation on Water Quality District  
 Commissioner Jean Curtiss, questions to answer, and Randy Gordon  
 Wayne Cahoon, Commissioner Jean Curtiss, and Randy Gordon  
 Walt Hill and Commissioner Jean Curtiss  
 David Whitesett  
 Commissioner Jean Curtiss, discussion on questions and process  
 Bill Bogardus and Commissioner Jean Curtiss  
 Commissioner Jean Curtiss, continue hearing at July 21 Board of County Commissioners meeting  
 Randy Gordon and Commissioner Jean Curtiss  
 Penny Kopps and Commissioner Jean Curtiss  
 Bill Bogardus

**HEARING RECESSED TO JULY 21, 2010****FRIDAY, JUNE 18, 2010**

BCC met in regular session; quorum present. ML out ill.

Larchmont Claims - BCC signed one (1) Signature Page for A/P Invoice Register dated June 17, 2010. Amount/\$35,671.14. Document to County Auditor.

  
 Vickie M. Zeier  
 Clerk & Recorder

  
 Michele Landquist, Chair  
 BCC

**MONDAY, JUNE 21, 2010**

BCC met in regular session; quorum present. BC out ill. Afternoon: ML, JC, canvassed Primary Election with Shirley Faust. Evening: BCC held Public Hearing re: Target Range Neighborhood Plan, held at Target Range School.

Indemnity Bond - ML signed. Austin Smith, Missoula, Principal for Financial Services Warrant #31293267, issued August 18, 2006 on County Payroll Fund. Amount/\$101.26 (for wages). Warrant lost.

Indemnity Bond - ML signed. Mary Ellen Wood, Superior, MT, Principal for Library Warrant #307429, issued June 19, 2009. Amount/\$203.87 (for wages). Warrant lost.

Indemnity Bond - ML signed. John Barba, Missoula, Principal for District Court Warrant #30151754, issued April 8, 2010 on County 2180 Fund. Amount/\$102.00 (for jury duty/mileage). Warrant lost.

County Payroll Transmittal Sheet - BCC signed. Pay Period: 13/CY2010 - Pay Date/June 18, 2010. Total Payroll/\$1,194,977.82. To County Auditor.

Planning Status Meeting - BCC/OPG Staff. Agenda: 1) Public Comment; 2) Lolo East Phasing Plan Request (action); 3) OPG Director's update.

Letter - BCC signed, dated July 20, 2010 to Bitterroot Development Corp., Hamilton, approving phasing plan for Lolo East Subdivision and new condition of approval to address weed management. Final plat approval dates: November 30, 2011 (Phase 1) and November 30, 2013 (Phase 2).

**PUBLIC HEARING - JUNE 21, 2010 - 7:00 P.M. (TARGET RANGE NEIGHBORHOOD PLAN, held at Target Range School)****1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Commissioner Jean Curtiss and Chair Michele Landquist. Absent: Commissioner Bill Carey.

Staff Present: Office of Planning & Grants Urban Initiatives Planner Lewis Yellow Robe and Office of Planning and Grants Urban Initiatives Planner Laval Means.

**2. HEARING - TARGET RANGE NEIGHBORHOOD PLAN**

Lewis Yellow Robe explained the process and presented the staff report. (PowerPoint presentation)  
 Fred Stewart (PowerPoint presentation)

## Public Comment

Don Loftsgaarden  
 Commissioner Michele Landquist and Don Loftsgaarden  
 Mike Ragovich  
 Dana Headapohl  
 Glade Roberts  
 Carolyn Parker  
 Dale Johnson  
 Ken Chilcote  
 Dorothy Northcot  
 George Hart  
 Lori Williams and Commissioner Jean Curtiss  
 Geri Fisher and Commissioner Jean Curtiss  
 Staff comment, Lewis Yellow Robe  
 Paul Hubbard, CFAC  
 Gary Botchek  
 Jan Lowman  
 Ed Taylor  
 Marianne Spitzform  
 Lorna Richardson and Commissioner Jean Curtiss  
 Janet Hinthner  
 Charlene Miller  
 Betty Jo Johnson  
 Mike Wilson  
 David McEwen  
 Cyd Ferguson  
 Jennifer Long  
 George Hirschenberger  
 Dora Roberts  
 Bob Carter  
 Peggie Morrison  
 Bud Ruana  
 Roger Vanderzand  
 Steve McArthur

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend the [Target Range Neighborhood] Plan to add the revision language to the Target Range Neighborhood Plan Draft 11 as proposed and is in your handout today dated 5/2/2010. Commissioner Michele Landquist seconded the motion. Commissioner Jean Curtiss comment. The motion carried on a vote of 2-0.

Chair Michele Landquist, continue hearing to June 30  
 Staff comment, Lewis Yellow Robe and discussion

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the resolution of intent to adopt the Target Range [Neighborhood] Plan, as amended tonight and by the Planning Board. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 2-0.

Commissioner Jean Curtiss comment  
 Commissioner Michele Landquist comment

**3. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 9:44 p.m.

<b>TUESDAY, JUNE 22, 2010</b>
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BCC met in regular session; quorum present in morning. Afternoon: BC out of the office. Evening: JC attended MAEDC Summer BBQ, held at MonTEC.

Indemnity Bond – ML signed. Kelsie Whitney, Havre, Principal for Accounting Warrant #31306880, issued May 8, 2009 on County Payroll Fund. Amount/\$367.43 (for wages). Warrant lost.

Indemnity Bond – ML signed. Victoria Kaul, Missoula, Principal for MCPS Warrant #178825, issued October 26, 2007 on MCPS Payroll Fund. Amount/\$99.05 (for wages). Warrant not received in mail.

Indemnity Bond – ML signed Steven Phillips, Missoula, Principal for MCPS Warrant #203078, issued May 21, 2010 on MCPS Payroll Fund. Amount/\$207.41 (for wages). Warrant not received in mail.

Indemnity Bond – ML signed Steven Phillips, Missoula, Principal for MCPS Warrant #203078, issued May 28, 2010 on MCPS Payroll Fund. Amount/\$83.29 (for wages). Warrant not received in mail.

ADMINISTRATIVE MEETING

2011 Budget Enhancement Request – BCC reviewed/approved. From Public Works for \$17,500 to mill/resurface portions of Guardsman Lane/Fort Missoula. Original to Andrew Czorny/CFO.

Contract & Resolution – ML signed Contract (#1002PROS0152) between City-County Health Dept. and DPHHS for Statewide Early Childhood Health Consultant/Coordinator for Best Beginnings STARS to Quality Program. Amount/\$not to exceed \$57,672. Term/May 1, 2010–September 30, 2011.

Resolution No. 2010-075 – BCC signed, dated June 22, 2010. Budget Amendment for Health Dept. for DPHHS contract above, indicating revenue of \$10,000. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County. Two originals to Julie Mohr/Health Dept. for further signatures/ handling.

MT Local Gov't Records Committee Request/Authorization for Records Disposal/Destruction – ML signed. Many boxes of Elections files (ballots/stubs/poll books/registers, etc. 9/13/05-5/5/09). To M. Porter/Records.

Letter – BCC signed, dated June 17, 2010 to Pelah Hoyt/Five Valleys Land Trust, Missoula, strongly supporting proposed acquisition of Jacobs Family parcel adjacent to proposed Milltown/Two Rivers State Park.

Additional discussion item(s): None.

**WEDNESDAY, JUNE 23, 2010**

BCC met in regular session; all three present. Morning: BCC met with City Council Reps, et al for MDT Mullan/Reserve presentation.

Indemnity Bond – ML signed Christine Steigers, Missoula, Principal for Animal Control Warrant #31300094, issued October 26, 2007 on County Payroll Fund. Amount/\$149.87 (for payroll). Warrant lost.

CHIEF ADMINISTRATIVE OFFICER MEETING

Board Appointments - BCC made following appointments (all 3-year terms unless noted otherwise):

<b>County Parks Board</b>	
Ed Heilman	Reappointed: 7/1/10-6/30/13
Jim Dayton	Reappointed: 7/1/10-6/30/13
Sue Brown	Reappointed: 7/1/10-6/30/13
Geoff Sutton (Alt – 1 year)	2 <sup>nd</sup> Alt: Reappointed to new 1-yr term: 7/1/10-6/30/11
Dan Morgan (Alt – 1 year)	1 <sup>st</sup> Alt: Reappointed to new 1-yr term: 7/1/10-6/30/11
<b>MDA</b>	
Neal Leathers	Reappointed: 7/1/10-6/30/13
Nancy Moe	Reappointed: 7/1/10-6/30/13
Brian Moser (on Tech District Advisory Brd)	Appointed: 7/1/10-6/30/13
<b>Aging Services Governing Board</b>	
Paul Marshall	Reappointed: 7/1/10-6/30/13
Renee Hofeldt	Appointed: 7/1/10-6/30/13
Del Key	Appointed: 7/1/10-6/30/13
Burke Townsend	Appointed to 3-yr term: 7/1/10-6/30/13
<b>Tom Green Memorial Park @ Pine View Park Advisory Board:</b>	
Chris Behan	Reappointed: 7/1/10-6/30/13
Greg Stahl	Reappointed: 7/1/10-6/30/13
Bill Bevis	Reappointed: 7/1/10-6/30/13
Dave Emmons	Reappointed: 7/1/10-6/30/13
Geoff Carlson	Reappointed: 7/1/10-6/30/13

Contract Rider & Addendum – ML signed, dated May 12, 2010. Between County and Bruce Hubbert/Five Valley Kennel Club for set-up and Dog Show at County Fairgrounds June 23-June 29, 2010. Amount/\$8,600 + camping & garbage fees. Addendum sets forth use of facilities/services, as well as individual cost of usage area. One original to Eunice Misbe/Fair.

Subgrants – BCC approved/ML signed two West Central MT Drug Task Force Subgrants (#10-G01-90872 for \$82,171.11 and #09-G01-90865 for 96,131.89) to MBCC for continued funding for FY2011 (JAG Grant, formerly Byrne Grant). Total amount/\$178,303. Originals to Willis Hintz/Sheriff's Dept..

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Contract – BCC signed, dated June 23, 2010. Between County and Jerald Dewey for Biological Weed Control Monitoring Project. Term/June 14-December 1, 2010. Total amount/\$16,020 (County Weed District contributing \$3,140; other partners contributing balance). Two originals to Weed District.

Grant Application – ML signed. FY11 Emergency Management Planning Grant in amount of \$82,153. Yearly grant to reimburse personnel costs for Director of ES (and this year 9-1-1 Center Manager). Original to Bob Reid/ES for further signatures/handling.

Resolution No. 2010-076 – BCC signed, dated June 23, 2010. Resolution granting a Petition for Inclusion by JFJ Properties, LLC into RSID #901 (Lolo Sewer & Water). Property is immediately east of Lolo Creek Steakhouse along Hwy. 12.

Agreement – ML signed, dated June 23, 2010. Between County and HDR Engineering for design/construction of County Road Dept. On-Site Pressure Sewer Pump Station and Force Main. Term/June 14-December 1, 2010. Total amount/\$15,772.38. Two originals to Greg Robertson/Public Works for further signatures/handling.

Agreement – BCC signed. Supplants/supersedes Subdivision Improvements Agreement/guarantee for Howard Addition Subdivision dated December 17, 2008 (relating to misc. outstanding improvements in amount of \$38,856.25); guaranteed and revised/extended by Bitterroot Valley Bank to Completion Date of no later than December 17, 2010.

FY2011 – BCC approved/denied several Enhancement Requests, per Matrix submitted by CFO Andrew Czorny. Matrix available for review in BCC Office. Original to CFO for further handling.

Letter – BCC signed, dated June 21, 2010 to Dr. Rick van den Pol/Institute for Educational Research/Service, UofM, Missoula, supporting proposed JUST Response grant submission *Evaluating Interventions for Systems and Victims* available through DOJ Program "Safe Start Promising Approaches Project". Original to Kim Campbell/OPG.

Letter – BCC signed, dated June 23, 2010 to MT DEQ, Water Resources Bureau, Helena, designating Brent O'Connor/Public Works Dept. as new contact person for MS4 Permit #MTR040000. Previous designee was Tim Elsea, who retired). Original to Greg Robertson/Public Works.

Letter – BCC signed, dated June 23, 2010 to Doug Moeller, MT DOT, Missoula, outlining County's position relative to status of Frenchtown Frontage Road, and its Secondary Roads Program nomination. County hopes to come to a mutual agreement with MDT to recognize their obligation.

Additional discussion item(s): None.

#### **PUBLIC MEETING – JUNE 23, 2010**

##### **1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Chair Michele Landquist, Commissioner Bill Carey and Commissioner Jean Curtiss. Absent: None.

Staff Present: Assistant Chief Deputy Clerk & Recorder Kim Cox, Deputy County Attorney James McCubbin, and Examining Surveyor Manager Steve Smith.

##### **2. PLEDGE OF ALLEGIANCE**

##### **3. PUBLIC COMMENT**

##### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

g. Weekly Claims List - \$343,799.69

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$343,799.69. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

h. Public Announcements

##### **5. HEARING (Certificate of Survey)**

a. Ferraro (Doug & Jennifer) Family Transfer

Chair Michele Landquist opened the hearing.

James McCubbin presented the staff report.

Questions from Commission

James McCubbin questioned the applicant, Douglas Ferraro.

Questions from Commission

Discussion, James McCubbin and Steve Smith, establish COS for previous family transfer

Questions from Commission and Applicant

Discussion of issues with transfer

Public Comment

Staff comment, James McCubbin, contingency

## Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request by Douglas and Jennifer Ferraro to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be any attempt to evade subdivision review. This decision, however, is contingent upon a Quit Claim transfer from Jennifer to Douglas that would allow them for the family transfer for one parcel from Douglas to Jennifer. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Discussion with applicant of issues

**6. HEARING**

- a. Petition to Abandon a Portion of County Roads (Mill Street to Bedard and Bedard Street between Blocks 13 & 20, from Mill Street to Demer Street - Frenchtown)  
Chair Michele Landquist opened the hearing.  
Steve Smith presented the staff report.  
Kim Cox verified the petition.  
Public Comment  
Staff comments, James McCubbin and Steve Smith  
Staff comment, James McCubbin, recommendation not to abandon  
Ken Jenkins and discussion  
Staff comment, James McCubbin and discussion  
Questions from Commission  
Site visit set with Commissioner Bill Carey with Steve Smith, Friday, June 25, leave the courthouse at 9:30 and discussion  
Hearing continued to July 7, 2010

**7. OTHER BUSINESS****8. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:25 p.m. and will reconvene at 3:00 p.m.

**9. RECONVENE MEETING (3:00 PM - 5:00 PM) - Room 201, Courthouse Annex**

Chair Michele Landquist reconvened the meeting at 3:00 p.m.

Commissioners Present: Chair Michele Landquist, Commissioner Bill Carey and Commissioner Jean Curtiss. Absent: None.

Staff Present: Chief Administrative Officer Dale Bickell and Western Montana Fair Director Steve Earle.

**10. PUBLIC COMMENT****11. PRESENTATION**

- a. Crandall Arambula Preferred Fair Master Plan Concept  
Chair Michele Landquist opened the hearing.  
Dale Bickell reviewed the history of process.  
Crandall Arambula presentation, Don Arambula  
Staff comment, Steve Earle  
Public Comment  
Cal Pickins  
Richard Smith  
Kent Watson  
Jeff Stevens and discussion  
Jason Shearer  
Dale Mahlum  
Maxine Lane  
Jeff Patterson  
Chair Michele Landquist comment  
Commissioner Jean Curtiss comment

**12. OTHER BUSINESS****13. RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:14 p.m.

<b>THURSDAY, JUNE 24, 2010</b>
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BCC met in regular session; all three present. Afternoon: BCC attended Mountain Line's Going-Away Event for Steve Earle, held at Holiday Inn.

**ADMINISTRATIVE MEETING**

Contract – BCC signed, dated June 13, 2010. Between County and Michael Barton to serve as Interim OPG Director (pending recruitment/selection for new Director). Amount/\$80,000 yearly. Term: June 13, 2010-June 13, 2011 (or earlier). One original to Mike Barton.



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Grant Contract – BCC signed. #DE-EE0000764 between County and MT DEQ for Energy Efficiency/Conservation Block Grant for 1) Public Works lighting retrofit; 2) PHC Creamery Bldg insulation upgrade; 3) Greenough/Potomac Volunteer Fire Dept. retrofit. Amount/\$49,000; matching funds from County Public Works/\$9,041.94; Rebate funding/\$6,149. Two originals to Chase Jones/OPG.

Rules – BCC approved proposed rules/regulations for county parks located within Missoula Development Park (with amendment to section "Alcohol in Parks Permit Application"). Staff will amend/present to MDPPOA Board of Directors for final approval. Original to Barb Martens/Projects.

Change Order #1 – ML signed. To contract between County and Valley Landscape, Inc. for landscaping services within Parks 4, 5, 7 & 8, MDP. Change Order adds \$2,200 to provide service for power to irrigation controller by Missoula Electric Cooperative. Total new contract amount/\$235,240. Two originals to Barb Martens/Projects.

Plan and Resolution – BCC reviewed/approved/signed Missoula County DUI Task Force Annual Plan for SFY 2011 (July 1, 2010-June 30, 2011). BCC also signed Resolution No. 2010-078, dated June 24, 2010, approving said Plan and Membership for SFY2011. Original to Loni Hutchison/Health Dept.

Contract – BCC signed, dated June 24, 2010. Between County and Pruyn's Veterinary Hospital for services/compensation outlined in Section 2 [document available for review in BCC Office]. Term: July 1, 2010-June 30, 2011. Two originals to Julie Mohr/Health Dept.

Agreement – ML signed. #511005 between City-County Health Dept. and DEQ re: state reimbursement for allowed expenses/local air pollution control program for FY 2011. Amount/\$98,332. Term: July 1, 2010-June 30, 2011. Two originals to Julie Mohr/Health Dept.

Agreement – ML signed. #511006 between City-County Health Dept. and DEQ re: inspections/other oversight activities for local air pollution control program for FY 2011. Amount/\$2,000. Term: July 1, 2010-June 30, 2011. Two originals to Julie Mohr/Health Dept.

Agreement Modification – ML signed. To #511040 between City-County Health Dept. and DEQ re: public water supply inspections for first ½ FY 2011. Additional amount/\$3,000; new total/\$10,000. New term ending date/December 31, 2010. Two originals to Julie Mohr/Health Dept.

Resolution No. 2010-077 – BCC signed, dated June 24, 2010. Budget Amendment for Health Dept. showing additional costs/revenues from DPHHS contract amendment #2 (10-07-6-11-035-0) for pandemic influenza response in amount of \$320,787. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

Resolution No. 2010-079 – BCC signed, dated June 24, 2010. Resolution of Intent to Adopt the Target Range Neighborhood Plan as Amended as an Amendment to the Missoula County Growth Policy

Task Order – ML signed. #11-07-3-31-011-0 to Missoula County Unified Gov't Master Contract between County and MT DPHHS for period July 1, 2005-June 30, 2012 (MT Tobacco Use Prevention Program). Adds approx. \$105,000 to Health Dept. budget for FY 2011 and funds 1.0 FTE. Three originals to Julie Mohr/Health Dept. for further signatures/handling.

Additional discussion item(s): Update on Target Range Neighborhood Plan.

**FRIDAY, JUNE 25, 2010**

BCC met in regular session; quorum present in morning. ML out of office all day. BC out of office all afternoon.

Site Visit: BC accompanied Steve Smith on site visit to Mill and Bedard Streets, Frenchtown.

*Vickie M. Zeier*  
Vickie M. Zeier  
Clerk & Recorder

*Michele Landquist*  
Michele Landquist, Chair  
BCC

**MONDAY, JUNE 28, 2010**

BCC met in regular session; quorum present. JC to Helena late afternoon.

Plat – BCC signed. Owners- Lot A: WYEMT, Inc./Lot B: Johnson Brothers Contracting, Inc. West End Industrial Development Subdivision/Phase 2. Five lot re-subdivision plat located in the SE¼ of Section 27 and the NE¼ of Section 34, T 14 N, R 20 W, PMM, Missoula County. Total net area/10.60 acres.

Planning Status Meeting – BCC/OPG Staff. Agenda: 1) Public Comment; 2) 3580 Hwy 200 E. Rezone; 3) River Watch Subdivision, Lot 1&2/dock request; 4) OPG Director's update.

## TUESDAY, JUNE 29, 2010

BCC met in regular session; quorum present. JC out all day at MACo Board Meeting, held in Helena.

ADMINISTRATIVE MEETING

Resolution No. 2010-080 – BCC signed, dated June 29, 2010. To expend \$25,000 of 2006 Open Space Bond funds towards acquisition of approx. 102 acres east of Bonner School ("Bonner Hill") to be owned by Bonner School District for open space purposes. County/City Joint Hearing held June 7, 2010.

Contract – BCC signed, dated June 14, 2010. Between County and Voltstar Productions for sound/stage/lighting for Creedence Clearwater Revisited/Chance McKinney concert at fairgrounds. Amount/\$13,353. Term/August 13 – August 14, 2010. One original to Eunice Misbe/Fair.

Contract – BCC signed, dated June 29, 2010. Between County and Chem-Safe Environmental for collection/bulking/transportation/disposal services at annual Household Hazardous Waste Collection Event on September 10 and 11, 2010. Term/September 9 – October 24, 2010. Amount/approx. \$24,969. Two originals to Julie Mohr/Health Dept. for further signatures/handling.

Budget Transfer – BCC approved Parks Board recommendation to award Spring FY10 Matching Grant Money to Missoula Softball Association and signed Budget Transfer, dated June 29, 2010. Control No. 10-021 for Parks to transfer \$4,000 to provide a unique project code for said Grant.

Grant Award – ML signed Award/Special Conditions/Certification Form for MT BOCC Grant (#10-J02-90828) for JDAI and Juvenile System Improvement. Amount/\$11,560. Original to Leslie Halligan/County Attorneys.

Board Appointments – BCC appointed following as members of the County Weed Board:

- Bryan Deschamps: as Regular Member to fill unexpired term to December 31, 2011;
- Robin Innes: as 1<sup>st</sup> Alternate to fill unexpired term to December 31, 2010;
- George Hirschenberger: as 2<sup>nd</sup> Alternate to fill unexpired term to December 31, 2011;

Letter – BCC signed, dated June 27, 2010 to DEQ Open Cut Mining Program, Helena, commenting on Knife River's proposal to renew the Open Cut Mining Permit. Though not necessarily opposed to renewal, BCC are concerned about the haul road (traditionally, Guardsman Lane). BCC request a public hearing on the permit.

Additional discussion item(s): None.

## WEDNESDAY, JUNE 30, 2010

BCC met in regular session; all three present.

CHIEF ADMINISTRATIVE OFFICER MEETING

Contract – BCC signed. #CM 8199(98) between County/OPG and MT DOT (Transportation Planning Division) for FY 2011 funding for Missoula in Motion using Congestion Mitigation/Air Quality fund. Total amount/\$166,108.05. Two originals to MIM for further signatures/handling.

Loan Agreement – ML signed, dated June 24, 2010. Between County and MT Museum of Art & Culture for five pieces to display at Courthouse Centennial Celebration on July 19, 2010. Insurance value/\$3,500. Two originals to Anne Hughes/BCC Office for further signatures/handling.

Memorandum of Understanding – BCC signed, dated June 18, 2010. Between City and County of Missoula for 2010 Edward Byrne Memorial Justice Assistance Grant (2010-H7518-MT-DJ), distributed as follows: 1) \$34,137 to County Sheriff's Office for p/t property clerk; and 2) \$51,206 to City of Missoula for operational costs/tools/equipment. One original to Sheriff McMeekin.

Contract Amendment – BCC signed, dated June 30, 2010. Between County and Rocky Mountain Capitol Consulting, LLC (Marnie Russ). Current June 30, 2010 expiration of Term is extended through earlier of expiration of County's appropriation request or December 31, 2011. Total amount/\$50,400. One original to Marnie Russ.

2011 Budget Enhancement Request – BCC reviewed/approved. From MDP Industrial Tax Increment Financing District for \$105,005 towards purchase of fire safety apparatus/equipment for Fire Station #2 on West Broadway. Original to Barb Martens/Projects.

Contract – BCC signed, dated June 30, 2010. Between County and Spectrum Medical, Inc. for one-year renewal of contract for primary health care services for Detention Facility. Total amount/\$498,720. Term/July 1, 2010-June 30, 2011. One original to Sheriff McMeekin.

Resolution No. 2010-081 – BCC signed, dated June 30, 2010. Budget Amendment for RSID Admin. Fund/Public Works in amount of \$12,622 for road construction/Guardsman Lane at Fort Missoula. For total disclosure, expenditures included in formal FY10 Operating Budget/Revenue Estimates for County.

2011 Budget Enhancement Request – BCC reviewed/approved. From Public Safety for \$200,000 to fund purchase/installation of replacement air conditioner at Detention Facility. Original to CFO Andrew Czorny.

Additional discussion item(s): 1) Courthouse Centennial Celebration/July 19<sup>th</sup>; 2) ADA Anniversary/July 26<sup>th</sup> (JC plans to attend); 3) Budget update.

## **PUBLIC MEETING – JUNE 30, 2010**

### **1. CALL TO ORDER**

Chair Michele Landquist called the meeting to order at 1:30 p.m.

Commissioners Present: Chair Michele Landquist, Commissioner Bill Carey and Commissioner Jean Curtiss. Absent: None.

Staff Present: Rural Initiatives Planner Nancy Heil, Chief Civil Deputy County Attorney Marnie McClain, Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, and Office of Planning & Grants Urban Initiatives Planner Lewis Yellow Robe.

### **2. PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENT**

### **4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

#### **i. Weekly Claims List - \$543,653.86**

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$543,653.86. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

#### **j. Public Announcements**

### **5. BID AWARDS (Public Works)**

#### **a. Westview Park Basketball Court Resurfacing Project (Lolo)**

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the contract to LS Jensen in the amount of \$21,532.00 for this project [the Westview Basketball Court Resurfacing project] as they are the lowest and best bidder. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

#### **b. Crushed Aggregate for Big Flat Road Reconstruction Project**

Chair Michele Landquist opened the hearing.

Greg Robertson presented the staff report.

Questions from Commission

Public Comment

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners award the contract to Knife River in the amount of \$129,380 [for the supply of rock aggregate for the Big Flat Road project]. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

### **6. HEARING (Certificate of Survey)**

#### **a. Winn (Ray & Donna) Family Transfer**

Chair Michele Landquist opened the hearing.

Marnie McClain presented the staff report.

Marnie McClain questioned the applicant, Donna Winn

Donna Winn, staff report correction, owned property since 1974, not 1986

Questions from Commission

Public Comment

Executive Session

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request presented by the Winns to create one additional parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

### **7. HEARING (continued from June 21, 2010)**

#### **a. Target Range Neighborhood Plan**

Chair Michele Landquist opened the hearing.

Lewis Yellow Robe presented the staff report.

Questions from Commission

Public Comment

Fred Stewart

Commissioner Jean Curtiss comment, remove Richardson property

Public Comment  
Fred Stewart  
Anne Rupkalvis  
Dorothy Northcutt and Commissioner Jean Curtiss

[Note: The following motions made by Commissioner Jean Curtiss were made from a previous version of the Target Range Neighborhood Plan and page numbers referenced by Commissioner Curtiss are replaced by section numbers.]

#### Executive Session

Commissioner Jean Curtiss, Section 1.3 Air of Target Range Neighborhood Plan, first paragraph, strike "like Smurfit Stone Container." Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "(like Smurfit Stone container)." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, Section 1.3 Air, second paragraph, directed staff to change "County Engineers office" to "County Public Works office." Chair Michele Landquist and Commissioner Bill Carey supported the direction.

Commissioner Jean Curtiss, Section 1.4 Natural Vegetation and Weeds, Recommendations and Strategies.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "University of Montana" and insert "Missoula County Weed District" in Strategy #1. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "University of Montana" and insert "Missoula County Weed District" in Strategy #2. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a new #3 Strategy that reads, "Develop an educational program component with Missoula County Weed District and Target Range Homeowners Association regarding noxious weed control and native landscaping on private property." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. Commissioner Jean Curtiss previous motion would strike the strategy that read, "Develop better coordination with the County Roads department on roadside noxious weed control along bike paths and roads in our Target Range neighborhood."

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a new Strategy, "Work with Missoula County Weed District to explore grant programs to address weed control through biological control, mowing, and other control measures." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss and Lewis Yellow Robe

Commissioner Jean Curtiss made a motion that the Board of County Commissioners insert #5, #6, #7, and #8 [from page 24 of staff report submitted by Lewis Yellow Robe on June 30, 2010] to read, "#5 Approach the Missoula County Weed District to develop an active control program for the identified weed problem areas such as the right-of-way right-of-ways and non-motorized trail right-of-ways. #6 Continue to work with the Missoula County Weed District to inventory new infestations of noxious and other weed species. #7 Buy and sell weed free hay. #8 Wash farm and heavy equipment after each use." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. Commissioner Jean Curtiss comment.

Commissioner Jean Curtiss, Section 1.5, Recommendations and Strategy for Wildlife, Strategy #9.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners change "Missoula Parks Board" to "Missoula County Parks Board and staff." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, Section 2.3 Water Infrastructure - Wells, Irrigation and Wastewater Treatment, format for strategies should be the same as previous sections and Strategy #5.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners Strategy #5, strike the last sentence [which reads, "They should be left in their original containers and disposed of in the trash." to "They should be disposed of properly to prevent prescription drug abuse. Check with the Missoula City/County Health Department for proper methods." Commissioner Bill Carey seconded the motion. Commissioner Jean Curtiss comment. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, Strategy #6, last sentence.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike, "County hazardous waste days will accept these items" and insert, "Check with Missoula City/County Health Department for a hazardous waste disposal location." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, Section 2.5 Community Facilities (parks, open spaces, viewsheds, trails, recreation areas), Strategy #7.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the word, "will" from the sentence and insert, "may" [to read "Any new lighting in Target Range may follow guidelines similar to those developed by the City of Missoula to limit the impact on the night sky."] Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss, Section 2.6 Local Services (police, fire and schools), third paragraph entitled "Law Enforcement," second sentence.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the word, "has been" and insert, "is" and strike "located in the Missoula County Courthouse" [to read, "Sheriff's deputies conduct routine patrols and additional sheriff support is dispatched from the 911 center."] Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comments, roundabouts  
Chair Michele Landquist comment

Commissioner Jean Curtiss, downzoning on Richardson property  
Staff comment, Lewis Yellow Robe and Commissioner Jean Curtiss  
Staff comment, Lewis Yellow Robe, recommended amendments

Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the paragraph on page 64, #2 Zoning Changes, #C and amend Map 14 to reflect that change. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Staff comment, Lewis Yellow Robe, Map 16 change to reflect above motion.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Map 16 to reflect the changes as Lewis [Yellow Robe] stated. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss comment

Commissioner Jean Curtiss made a motion that the Board of County Commissioners direct staff to make changes in form, content, and correct any errors as necessary to make this a clean plan. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the Draft Target Range Neighborhood Plan and associated land use maps as amended by the County Commissioners as an amendment to the 2005 Missoula County Growth Policy. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

Board of County Commissioners comments

## 8. HEARING

### a. Open Space Bond Project (Sunset Hill 2 Additional Funding)

Chair Michele Landquist opened the hearing.

Nancy Heil presented the staff report.

John Rimel, Open Lands Committee

Public Comment

Jim Berkey, Nature Conservancy

Executive Session

Commissioner Bill Carey made a motion that the Board of County Commissioners approve the expenditure of an additional \$150,000 in Open Space Bond funds via the attached resolution (Attachment D) for the purchase of a conservation easement for the Sunset Hill 2 project, based on findings that the project qualifies for funding, recommendations of the Open Lands Citizen Advisory Committee, public hearing comments, and staff's analysis. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

## 9. HEARING

### a. Rezone Property in East Missoula Area from C-C2 (General Commercial) to C-R3 (Residential) - 3580 Highway 200 East (verbatim transcription)

Chair Michele Landquist opened the hearing.

Janet Rhoades presented the staff report (PowerPoint presentation).

Questions from Commission

Applicant's presentation, Ken Jenkins

Public Comment

Nina Cramer

Dick Ainsworth, Janet Rhoades, and Chair Michele Landquist

Staff comment, Janet Rhoades

Public Comment

Logan Hodke

Allen Wagner

Karen Wagner

Melissa Jenkins

Bob Brunson

Betty Springer

Staff comment, Janet Rhoades

Mary Willard

John Loren

Valerie Brunson

Louise Kolppa

Beverly Erb

Adelco Loran

Shayla Getchman

Karen Wagner

Valerie Brunson and Chair Michele Landquist

Bob Brunson

Executive Session

Commissioner Jean Curtiss comment

Commissioner Bill Carey comment

Chair Michele Landquist comment

Staff comment, Janet Rhoades and Chair Michele Landquist

Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request to rezone property legally described as Lots A, B1, C, & D1 of Block 21 of East Missoula Addition, located in Section 24 of Township 13 North, Range 19 West, from C-C2 (General Commercial) to C-R3 (Residential, 36 dwellings per acre), based on the findings of fact in the staff report. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

#### 10. OTHER BUSINESS

#### 11. RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:05 p.m.