

June 2017

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Fiscal Year: 2017

Missoula County Commissioners' Journal: June, 2017

BCC = Board of County Commissioners
 JC = Commissioner Jean Curtiss, Chair
 NR = Commissioner Nicole ("Cola") Rowley
 DS = Commissioner Dave Strohmaier

The following claims lists were signed in June 2017:

Date Signed	Claims List Dated	Who Signed	Voucher No.	Amount
June 1, 2017	June 31, 2017	JC, NR, DS	2033	\$162,068.55
			2034	\$25,834.76
			2035	\$350.00
Total Report for June 2, 2017				\$1,208,750.89
June 5, 2017	June 5, 2017	JC, NR, DS	2036	\$347,319.90
			2037	\$1,779.72
			2038	\$1,943.06
June 26, 2017	PHC Amerisource ACH			\$22,257.84
June 1, 2017	PHC Smartfill ACH			\$176,237.32
June 2, 2017	PHC Amerisource ACH			\$21,530.95
June 6, 2017	June 6, 2017	JC, NR, DS	2039	\$1,816.30
			2042	\$4,203.85
			2043	\$22,676.96
			2044	\$70,607.35
			2045	\$11,839.76
			2046	\$1,172,135.40
June 7, 2017	June 7, 2017		2047	\$9,729.41
			2048	\$98,912.25
June 12, 2017	June 9, 2017		2052	\$31,151.90
			2053	\$11,307.00
			2051	\$19,917.52
	June 12, 2017		2054	\$12,809.82
June 13, 2017	June 13, 2017		2056	\$54,725.47
			2057	\$21,941.75
			2058	\$6,298.00
			2059	\$3,881.90
June 7, 2017	PHC Smartfill ACH			\$131,078.31
June 9, 2017	PHC Amerisource ACH			\$41,513.56
June 14, 2017	June 14, 2017	JC, NR, DS	2062	\$1,183,337.64
			2063	\$45,068.49
			2064	\$8,493.22
			2065	\$3,432.01

201802325 B: 992 P: 1131 Pages: 72 Fees: \$0.00
 02/13/2018 03:18:55 PM Commissioners Journal
 Tyler R. Gernant, Missoula County Clerk & Recorder
 eRecording

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Date Signed	Claims List Dated	Who Signed	Voucher No.	Amount	
June 15, 2017	June 15, 2017		2066	\$257,666.00	
			2067	\$21,905.92	
			2068	\$9,757.24	
June 16, 2017	June 16, 2017	JC, DS	2069	\$11,264.93	
			2070	\$65,145.08	
Total Report for June 16, 2017				\$3,903,685.83	
June 20, 2017	June 20, 2017	JC, NR, DS	2071	\$2,302,381.48	
			2072	\$35,789.65	
	2073		\$173,845.23		
	2074		\$17,284.49		
June 21, 2017	June 21, 2017		2075	\$20,556.24	
			2076	\$190,023.82	
			2077	\$2,874.27	
			2078	\$2,070.83	
June 22, 2017	June 22, 2017		2079	\$18,146.31	
			2080	\$238,717.99	
			2081	\$3,203.50	
June 14, 2017	PHC Smartfill ACH			\$184,768.79	
June 16, 2017	PHC Amerisource ACH			\$30,366.82	
June 21, 2017	PHC Smartfill ACH			\$98,869.80	
June 23, 2017	PHC Amerisource ACH			\$35,250.83	
June 26, 2017	June 23, 2017	JC, NR, DS	2082	\$3,565.38	
			2083	\$86,795.78	
			2084	\$136,054.47	
	June 26, 2017		2085	\$3,529.86	
			2086	\$169,658.38	
			2087	\$53,801.72	
June 27, 2017	June 27, 2017		2089	\$178,889.11	
			2090	\$10,630.80	
			2091	\$7,900.78	
June 28, 2017	June 28, 2017		2094	\$5,181.00	
			2095	\$5,511.55	
			2096	\$93,387.82	
			2097	\$28,208.63	
			2098	\$169,356.51	
			2099	\$66,960.47	
			2100	\$845,528.96	
June 29, 2017	June 29, 2017		JC, NR	2103	\$52.37
			JC, NR, DS	2104	\$15,282.22
June 29, 2017	PHC Smartfill ACH			\$111,843.50	
June 30, 2017	PHC Amerisource ACH			\$53,806.68	

All claims lists were returned to Financial Services.

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Thursday June 01, 2017

BCC met in regular session; all three present.

Calendar

8:45 a.m. - 1:00 p.m.	NR - Q&A Sessions- Community Assistance Fund Review Committee 2017
9:00 a.m. - 9:45 a.m.	DS - Dale Bickell
10:00 a.m. - 11:00 a.m.	BCC - Commissioners' Administrative Public Meeting
11:30 a.m. - 12:30 p.m.	JC - Cindy Weese
1:00 p.m. - 3:30 p.m.	BCC - Budget Review - Public Works
3:30 p.m. - 5:00 p.m.	BCC - Budget Review of Requests

Items for Signature

Larchmont Claims- BCC signed one signature page for the Larchmont Golf Course Accounts Payable Invoice Register dated June 1, 2017. Amount \$46,154.03. To Barbara Berens, Auditor's Office

Thank you letters – BCC signed. Dated June 1, 2017 thank you for volunteering on the Missoula County's Land Use Technical Advisory Committee. Letters 2017-167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181 and 182.

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 1, 2017 Start 10:00 a.m. – End 11:00 a.m.**

ATTENDANCE Present: Jean Curtiss, David Strohmaier, Vickie Zeier, Annie Cathey, Andrew Czorny, Chris Lounsbury, Anne Hughes, Adriane Beck, Barbara Berens, Katie Klietz

Other Attendees: Kali Becher, Erin Kautz

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board sign the reimbursement resolution for the Western Montana Retriever Club Open Space Bond project in order to qualify the use of up to \$12,000 from the City's portion of the 2006 Open Space Bond funds for project related costs of a conservation easement on 50 acres, located in the lower Miller Creek area.

Presenter:	Kali Becher
Moved:	David Strohmaier
Second:	Jean Curtiss
Motion:	Motion passed as written
Vote:	Yes 2, No 0, Abstained 0

Additional Info:

Resolution No. 2017-186. Filed with Clerk and Recorder/Treasurer's Office. Original to Kali Becher, Community and Planning Services (CAPS).

2. Request board authorize and sign professional services agreement with Third Signal LLC in the amount of \$2,500, to conduct an analysis of public safety networks to evaluate Next Generation 9-1-1 capabilities of the Missoula 9-1-1 Center.

Presenter:	Adriane Beck
Moved:	David Strohmaier
Second:	Jean Curtiss

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Motion: Motion passed as written**Vote:** Yes 2, No 0, Abstained 0**Additional Info:**

Filed with Clerk and Recorder/Treasurer's Office. Original to Adriane Beck, Office of Emergency Management.

3. Request the board sign budget amendment transferring \$6,196.50 of Montana Healthcare Foundation funds to correct County revenue code.**Presenter:** Erin Kautz**Moved:** David Strohmaier**Second:** Jean Curtiss**Motion:** Motion passed as written**Vote:** Yes 2, No 0, Abstained 0**Additional Info:**

Resolution 2017-187. Filed with Clerk and Recorder/Treasurer's Office. Original to Teresa Graham, Finance, and copy to Erin Kautz, CAPS.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS** None**V. UPCOMING EVENTS AND INVITATIONS** None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Friday, June 02, 2017**

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 1:00 p.m. NR - Q&A Sessions- Community Assistance Fund (CAF) Review Committee 2017
 1:30 p.m. - 4:00 p.m. BCC - City Open Space Bond Project Site Visit - Lower Miller Creek

Journal Approval

DocuSigned by:

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Tyler Gernant
Clerk & Recorder

DocuSigned by:

 C78209876BC14E6...

Jean Curtiss, Chair
BCC**Monday, June 05, 2017**

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 9:30 a.m. BCC - Budget Review - County Auditor
 9:30 a.m. - 10:00 a.m. BCC - Budget Review - Clerk and Recorder/Treasurer
 10:30 a.m. - 12:00 p.m. BCC - Community and Planning Services Update
 2:00 p.m. - 2:30 p.m. BCC - Parks, Trails and Open Lands Update
 2:30 p.m. - 3:30 p.m. BCC - DNRC Update/USFS/FWP/Weyerhaeuser-Deep Creek Road
 3:30 p.m. - 4:00 p.m. BCC - Visit Land Use Technical Advisory Committee

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Items for Signature

Replacement Warrant- JC signed. Citi Costco Card, Louisville, KY. Missoula Rural Fire District Warrant 80073842 issued, issued Sept. 13, 2016 on Missoula County Fund 7230. Amount \$972.37 for Aug. 2016 statement. Warrant not received in mail.

Replacement Warrant- JC signed. River of Life Ministries, Missoula, MT. East Missoula Rural Fire Department Warrant 77004385, issued Oct. 3, 2016 on county general fund. Amount \$800.00 for heaters. Warrant not received in mail.

Monthly Report – JC examined, approved and ordered filed the monthly report of the Clerk of District Court, Shirley Faust. Details of fees and collections for May 2017.

Community and Planning Services Update**Agenda:**

1. Public Comment
2. Communications
3. General Updates
 - a. 10:30 - Miller Creek View Phasing Plan Extension - Christine Dascenzo
 - b. 10:35 - Alpine Trails Request for Easement through County Owned Parcel - Garrick Swanson
 - c. 10:50 - Quebec-Deschamps CE Amendment - Kali Becher
 - d. 11:05 - Martina Creek Rd Access Scoping - Kali Becher
 - e. 11:15 - LWCF Support Letter - Kali Becher
 - f. 11:20 - Tom Green Advisory Group By-Laws - John Stegmaier
 - g. 11:30 - Parks, Trails, & Open Lands - Lisa Moisey
 - h. 12:00 - Holden Addition 2 Subdivision – Casey Drayton
4. Director's Update Patrick O'Herren

Tuesday, June 06, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	BCC - Human Resources Update
10:07 a.m. - 11:07 a.m.	BCC - Commissioners' Administrative Public Meeting
11:30 a.m. - 12:30 p.m.	BCC - Budget Review-Weed and Extension
1:30 p.m. - 2:30 p.m.	NR - Mayor's Downtown Advisory Commission
2:30 p.m. - 3:00 p.m.	BCC - Budget Review - Elections
3:00 p.m. - 3:30 p.m.	BCC - Budget Review - Superintendent of Schools
3:30 p.m. - 4:00 p.m. –	BCC - Budget Review - Financial Services

Items for Signature

Request: Records Disposal/Transfer Authorization – JC signed. From Clerk of District Court. Disposal Number: 2016-04 Juvenile (J2191-J2243) 10/1987-11/1987.

Request: Records Disposal/Transfer Authorization – JC signed. From Clerk of District Court Disposal Number 2017-03 Court Notes Dept. 4 4/2006-9/2006.

Request: Records Disposal/Transfer Authorization – JC signed. From Clerk of District Court Disposal Number 2016-32 1) Court Notes Dept. 2 8/2005-4-2006 2) Court Notes Dept. 4 (Brenda Owen) 10/2005-3/2006.

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Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 6, 2017 Start 10:07 a.m. - End 11:07 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Chris Lounsbury, Anne Hughes, Patty Baumgart, Adriane Beck, Dori Brownlow, Annie Cathey, Katie Klietz, Bernadette Roy
Other Attendees: Ken Parks, Peter Friesen, Bruce Bugbee

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA - Bruce Bugbee - Travelers Rest
Adriane Beck introduces Ken Parks the new Deputy DES Coordinator

II. ACTION ITEMS

1. Request board approve a resolution to adopt the 2017 Missoula County Pre-Disaster Mitigation Plan. Postponed to June 22, 2017.

2. Request board approve chair to sign 1 year software license agreement with Grey Wall Software for use of Virtual Emergency Operations Center software in the amount of \$9,375.

Presenter: Adriane Beck
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: June 1, 2017 through May 31, 2018
Original to Adriane Beck, Office of Emergency Management.

3. Request board approve collective bargaining agreement between the County of Missoula and the Missoula County Deputy Sheriff's Association.

Presenter: Patty Baumgart
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2019
Original to Patty Baumgart, Human Resources.

4. Request board approve Buy-Sell Agreement Commercial for Partnership Health Center to purchase the property at 404 West Alder Street for the purchase price of \$425,000 with earnest money amount of \$2,000 for the balance due of \$423,000 with a closing date of 08/31/2017.

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Closing date: Aug. 31, 2017
Original to Lindsey Cromwell, Partnership Health Center (PHC).

5. Request board approve employment agreement for Sarah Watson, DO at Partnership Health Center-Missoula County beginning on Oct. 1, 2017 through June 30, 2018 for 1.0 FTE (40 hours per week) with an annualized salary set at \$171,600, which is an hourly rate of \$82.50.

Presenter: Bernadette Roy

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Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: Oct. 1, 2017 through June 30, 2018

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

6. Request board approve service agreement with Providence St. Patrick Hospital Biomedical Engineering and Partnership Health Center-Missoula County for Providence to provide preventative maintenance and inspections for all of Partnership Health Center's clinics for the term of 3/1/2017-2/28/2018 for the sum of \$7,700 with an additional \$1,200 per year for the inspection and preventative maintenance on the GE X-ray Room.

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written with addition info
Vote: Yes 3, No 0, Abstained 0
Additional Info: For inspections of all Bio-Medical equipment for all five locations.
 Filed with Clerk and Recorder/Treasurer's Office. Original to Lindsey Cromwell, PHC.

7. Request board appoint a new member to the Missoula City-County Library Board.

Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion to appoint Barbara Berens for a new 5 year term.
Vote: Yes 3, No 0, Abstained 0
Additional Info:

Original to Sarah Bell, Commissioners' Office. Letters of appointment mailed by Commissioners' Office. Appointment Letter No. 2017-184 to Barbara Berens. Letter 2017-185 to Geoff Badenoch.

III. CORRESPONDENCE None

IV. DISCUSSION ITEMS

1. Upcoming board meetings and review of meetings.

V. UPCOMING EVENTS AND INVITATIONS

1. MEP's Investor Breakfast - Thursday June 22, 2017 from 7-9 a.m. at Missoula College.
2. City Club Missoula - Monday June 12, 2017 11:30 a.m. - 1:00 p.m.
The Future of Missoula County Fairgrounds; Featuring Emily Bentley.

VI. OTHER COMMENTS/INSTRUCTIONS None

Wednesday, June 07, 2017

BCC met in regular session; all three present.

Calendar

8:30 a.m. - 12:00 p.m. NR - Partnership Health Center
 9:00 a.m. - 10:00 a.m. BCC - Senior Staff Update
 9:00 a.m. - 10:00 a.m. JC - Crown of the Continent

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10:06 a.m. - 10:34 a.m.	BCC - Commissioners' Administrative Public Meeting
11:30 a.m. - 1:00 p.m.	JC - Missoula Economic Partnership Business Lunch
12:00 p.m. - 1:00 p.m.	NR - Human Resource Council Program Council
1:00 p.m. - 4:00 p.m.	NR - Partnership Health Center
1:30 p.m. - 4:00 p.m.	JC, DS - Special Federal Election Canvass
4:00 p.m. - 5:00 p.m.	JC - Missoula Economic Partnership Governance Committee
7:00 p.m. - 9:00 p.m.	DS - East Missoula Community Workshop

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 7, 2017 Start 10:06 a.m. - End 10:34 a.m.**

ATTENDANCE Present: Jean Curtiss, David Strohmaier, Vickie Zeier, Andrew Czorny, Chris Lounsbury, Anne Hughes, Barbara Berens, Dori Brownlow, Annie Cathey, Katie Kliezt

Other Attendees: John Stegmaier, Nicole Rush, Sarah Bell

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board authorize the attached by-laws for the purpose of establishing governing policies for the Tom Green Memorial Park Advisory Group.

Presenter: John Stegmaier
Moved: David Strohmaier
Second: Jean Curtiss
Motion: Motion passed as written
Vote: Yes 2, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. Original to John Stegmaier, Community and Planning Services.

2. Request board appoint members to the Tom Green Memorial Park Advisory Group.

Presenter: John Stegmaier
Moved: David Strohmaier
Second: Jean Curtiss
Motion: Motion passed as written
Vote: Yes 2, No 0, Abstained 0

Additional Info:

Original to Sarah Bell, Commissioners' Office. Letters of appointment mailed by Commissioners' Office. Letter No. 2017-189 to Bill Bevis. Letter No. 2017-190 to Dave Emmons. Letter No. 2017-191 to Greg Stahl. Letter No. 2017-192 to Chris Behan. Letter No. 2017-193 to Ross Mollenhauer. Letter No. 2017-194 to Morgan Valliant. Letter No. 2017-195 to Tom Javins. Letters thanking applicants that were not selected mailed by Commissioners' Office. Letter No. 2017-196 to Taylor Valliant. Letter No. 2017-197 to Geoff Carlson.

3. Request board approve and chair to sign three easements for a public county road known as South Placid Lake Road. Postponed

4. Request board approve payment for draw #1 against Audience Award's Big Sky Economic Development Trust Fund job creation grant contract #MT-BSTF-1-17-17 in the amount of \$22,500. Funds pass through Missoula County but have no fiscal impact.

Presenter: Nicole Rush

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Moved: David Strohmaier
Second: Jean Curtiss
Motion: Motion passed as written
Vote: Yes 2, No 0, Abstained 0
Additional Info:
 Original to Nicole Rush, Bitterroot Economic Development District.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS** None**V. UPCOMING EVENTS AND INVITATIONS** None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Thursday, June 08, 2017**

BCC met in regular session; all three present.

Calendar

9:15 a.m. - 9:45 a.m.	BCC - Interview Missoula Aging Services Advisory Board - Chris Flohr
10:10 a.m. - 10:37 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 2:00 p.m.	NR - Human Resource Council Board
11:00 a.m. - 12:00 p.m.	DS, JC - Partnership Health Center
2:00 p.m. - 3:47 p.m.	BCC - Commissioners' Public Meeting

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
 ADMINISTRATIVE PUBLIC MEETING MINUTES
 MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
 June 8, 2017 Start 10:10 a.m. - End 10:37 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Chris Lounsbury, Anne Hughes, Barbara Berens, Dori Brownlow, Andrew Czorny, Annie Cathey, Larry Farnes

Other Attendees: Sarah Bell, Kali Becher, Shannon Therriault, Bryce Christiaens

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None**II. ACTION ITEMS**

1. Request board adopt and chair sign memorandum of understanding between Missoula County Parks, Trails, and Open Lands and the Missoula County Weed District to outline the roles and responsibilities for each party for FY 18 & FY 19 regarding management of noxious weeds in the County's Parks and Trails system.

Presenter: Bryce Christiaens
 Kali Becher
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. Original to Kali Becher, Community and Planning Services (CAPS).

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2. Request board approve professional services agreement for the monitoring of the Missoula County held conservation easements by Five Valleys Land Trust for an amount of \$1,625.

Presenter: Kali Becher
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: June 15, 2017 through Dec. 15, 2017

Filed with Clerk and Recorder/Treasurer's Office. Original to Kali Becher, CAPS.

3. Request board approve chair to sign a three month extension to the Department of Environmental Quality (DEQ) contract that provides for local health department review of sanitation in subdivision applications.

Presenter: Shannon Therriault
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: July 1, 2017 through Sept. 30, 2017

Original to Shannon Therriault, Missoula City-County Health Department.

4. Request board approve Resolution Creating the Library Project Acquisition and Construction Account and Subaccounts as provided for in the Financing and Construction Management Agreement dated July 1, 2016

Presenter: Dori Brownlow
Andrew Czorny
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info:

Resolution No. 2017-192. Filed with Clerk and Recorder/Treasurer's Office. Original to Andrew Czorny, Commissioners' Office.

5. Authorize Fairgrounds staff to sign a contract with Southgate Mall to rent the Fairgrounds on Tuesday July 4, 2017 and allow a professional fireworks display for the Missoula community on the Fairgrounds. Postponed**6. Request board approve resolution to alter East Mullan Road right-of-way that was altered by petition on May 25, 2017.**

Resolution No. 2017-191 approved at a Public Meeting on May 25, 2017. Approval not required, but final resolution signed by the BCC.

7. Request board approve and chair sign amendment to Guaranteed Maximum Price agreement of phase 5 of the Courthouse project for landscape repair with Jackson Contractors for \$790,778.

Presenter: Larry Farnes
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: June 12, 2017 through Oct. 30, 2017

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Filed with Clerk and Recorder/Treasurer's Office. Original to Larry Farnes, Facilities Management.

8. Request board appoint new member to the Bonner-Milltown Community Council.**Presenter:** Sarah Bell**Moved:** Nicole Rowley**Second:** David Strohmaier**Motion:** Motion passed as written**Vote:** Yes 3, No 0, Abstained 0**Additional Info:** Term: June 8, 2017 through May 31, 2019

Original to Sarah Bell, Commissioners' office. Letter of appointment mailed by Commissioners' Office.
Letter No. 2017-199 to Kali Orton.

III. CORRESPONDENCE

1. Request the Board sign letters to the Montana Congressional delegation supporting the Land and Water Conservation Fund.

Letter No. 2017-187 – BCC signed. To Senator Jon Tester.

Letter No. 2017-188 – BCC signed. To Senator Steve Daines.

IV. DISCUSSION ITEMS None**V. UPCOMING EVENTS AND INVITATIONS** None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Public Meeting**

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<https://www.missoulacounty.us/government/administration/commissioners-office/commissioners-meeting-agenda-portal>.

MISSOULA BOARD OF COUNTY COMMISSIONERS
PUBLIC MEETING MINUTES
CONFERENCE ROOM 151 – COURTHOUSE ANNEX
THURSDAY JUNE 8, 2017 – 2:00 PM

1. CALL TO ORDER**Commissioners Present:**

Chair Jean Curtiss

Commissioner Nicole Rowley

Commissioner David Strohmaier

Staff Present:

Casey Drayton, Planner, Community and Planning Services

Tim Worley, Senior Planner, Community and Planning Services

Jamie Erbacher, Planner, Community and Planning Services

Christine Dascenzo, Planner, Community and Planning Services

Deb Bell-Assistant Director, Missoula County Public Works

Ken Jenkins, Montana Northwest Company

Helena Maclay, Attorney

Bryan Flaherty

Helena Maclay

Casey Drayton

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Gilbert Larson

2. PLEDGE OF ALLEGIANCE
3. PUBLIC ANNOUNCEMENTS

Commissioner Curtiss – Is there any public announcements from the Commission, or from staff?

4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
None.

5. CURRENT CLAIMS LIST

Claims received as of May 22, 2017 to June 2, 2017 by the Commissioners' Office total \$1,208,750.89.

Commissioner Curtiss – We have two hearings today, the first on is the Holden Addition 2 Subdivision and Casey is our planner, so I will open that hearing and have Casey give the staff report.

6. HEARINGS

a. Holden Addition 2 Subdivision

Casey Drayton, Planner, Community and Planning Services – I am here to present the staff report for the Holden Addition 2, which is a five lot minor subdivision. This proposal is by Kathleen Holden and she is represented by Montana Northwest Company. The Holden Addition 2 Subdivision, located approximately 1.5 miles northwest of Clinton, along East Mullan Road, is adjacent to the Holden and Koch Subdivisions, as well as several other tracts utilized for residential, pasture, and agriculture purposes. The existing conditions found on the parent tract are primarily dryland grasses, a few bushes, and trees are scattered throughout the property. One note is there is a small area of noxious weeds that's been identified on the property in addition to the vegetation shown. The growth policy for the property recommends residential, two dwelling units per acre, with a small portion of parks and open space bisecting the tracts shown on the dark green. The property is unzoned so there is no zoning regulations in effect on this parcel. The density proposed with the subdivision is in compliance with the recommended two dwelling units per acre. A portion of the property has been restricted as a no build zone, in part to mitigate residential development on the area designated as parks and open space. The no build zone does not line up with the parks and open space designation shown here, however it does not appear that the current designation functions as park, trail, floodplain, or steep slope, which are commonly associated with the parks and open space designation. The property is found within the Clinton Activity Center, as shown on the map here. The regional land use guide encourages development up to two dwelling units per acre in activity centers. Development patterns specifically within the Clinton Activity Center could be described as residential long transportation corridors with a mix of open space and agriculture beyond. Looking at the preliminary plat here, we can see that there's five lots. The resulting density would be one dwelling per 1.99 acres. The total tract is just shy of ten acres with the five lots proposed. Restrictions to building sites are shown on this preliminary plat. The blue shaded area represents a no build zone as a result of slopes over 25 percent. The yellow is highlighting a 42-foot power distribution utility easement and the red area is an enhanced no-build zone dedicated along the rear of lots 3-5. Not shaded, but of importance, are the 20-foot setbacks shown along all other property lines.

In terms of agriculture, the soils on this property are classified as prime farmland if irrigated. There's two distinct soil classifications here, shown at the bottom right. Both of these are considered prime farmland if irrigated. However, there is no agricultural water user facilities found on the property. Agriculture use is, at present day, absent from this site. Initiating an agricultural endeavor would be difficult due to a lack of water user facilities. The connection to other agriculture facilities has not been identified or presented. There is one agricultural facility found off to the north and west of this property. The 60-foot no-build zone shown in the red along lots 3, 4 and 5 has been established to restrict development and preserve land identified as agricultural land.

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This area, totaling approximately 1.13 acres or 11.3 percent of the parent tract will be preserved in perpetuity if the recommended condition of approval, Condition #10 D, requiring building line restrictions in the covenants is approved and final plat requirement item #1 is satisfied. This is found as attachment A to the staff report. In addition to the 60-foot area, it is worth noting that, 20-foot setbacks around all other property lines are captured in Condition #10d. These set backs are not required and voluntarily preserve a total of 3.8 acres of no build zone or 38 percent of the parent tract when combined with the 60-foot no build zone. The focus of the applicant and staff in recommending condition relating to mitigating development on agricultural land was primarily rooted in protecting a portion of the land as open space and not necessarily as a functioning agricultural facility.

The property is served by East Mullan Road a 26-foot wide off site road and a 60-foot right-of-way. No onsite roads are proposed within the subdivision. Access will be provided to the five lots by two shared approaches and one individual approach. A condition of approval requires the two shared approaches to be constructed and paved prior to final plat or after subject to an improvements guarantee. The two shared approaches from the edge of existing asphalt on East Mullan Road to the property line provide access to two individual properties. Public Works reviewed the approaches and recommended the condition for construction and paving as a subdivision improvement. The individual approach serving lot 1 will require an approach permit at time of building permit review.

From the property line in to the point at which the driveways will split will be considered as a shared access for lots 2 and 3, and 4 and 5. A draft of the shared access construction and maintenance agreement has been included in the covenants.

All five lots will be served by individual wells and septic systems. Lots 1 through 4, the well isolation zones, are contained completely within the property. Lot 5, the well isolation zone, extends off the property and an easement has been recorded for that isolation zone. The septic and drain fields are all shown on this preliminary plat, generally near Mullan Road. The property is within the Clinton Rural Fire District. Residential fire sprinklers are the chosen water supply for fire suppression. A fire hazard assessment completed by the applicant has returned a low-hazard rating for wildfire risk. The covenants have language regarding address signage and turnaround requirements for driveways that exceed 150 feet. There are a few conditions relating to fire that we could go into if you have any questions on the fire suppression and covenant language. The site is located on in an area planned for suburban residential development. This is based on the capability of supporting high population densities without environmental degradations. Currently, the site does not entertain any notable populations of wildlife due to a lack of attractants and close proximity to the major highway and rail transportations thoroughfares. As mentioned, a small area of spotted knapweed has been identified on the property. Noxious weeds found on the property will continue to propagate until managed. Current site analysis, goals and actions items will need to be identified as part of a proper management plan. Condition of approval requires a weed management plan to be recorded as part of the covenants or as a development agreement. This plan shall address the developer as the responsible party for implementation and execution. Until such time that each lot is conveyed, and the new owner assumes the responsibility for weed management, a revegetation plan approved by the Missoula County Weed District is an additional recommended condition of approval to address weed management after construction and lot disturbance. FEMA designated floodplain is absent from the property. However, the base flood elevation in the area is found to be 3,418 feet. The comments received from the Missoula County Floodplain Administrator recommended condition of approval requiring pre- and post-elevation certificates for lots 4 and 5 to avoid groundwater inundation of basements and contamination of those homes and the groundwater. These elevation certificates will require the lowest floor, including all mechanical equipment and wellheads, to be 3,420 feet, two feet above the base flood elevation. The elevation of the low areas of lots 4 and 5 is shown to be 3,420 on the preliminary plat. Upon conclusion of my staff report here, in a moment, we have prepared so additional information to elaborate on how the floodplain regulations and the recommendation for the elevation certificates apply in this situation. That will be provided by Tim. Other public health and safety conditions identified are areas of 25 percent slope identified as no build zones on the plat and are required to be shown on the final plat and wood fire place restrictions identified by the City-County Air Pollution Control Program.

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In conclusion, staff's recommendation is that the Holden Addition 2 Subdivision be approved, based on the findings of fact in the staff report and subject to the recommended conditions of approval in the staff report. I will now have Tim come up and share with you some information on the floodplain and elevations.

Tim Worley, Senior Planner, Community and Planning Services – I wanted to speak to our recommendation for lots 4 and 5, and why we are recommending a minimum elevation for first floors on those two lots. Beyond what's in the staff report, we would also point you to Section 3.1.3.2.B, "...The floodplain also includes land determined by the governing body to be subject to flooding." So in this case, as Casey mentioned, the base flood elevation 3,418 and more importantly probably is out of chapter three of the floodplain regs. That where the base flood elevation meets the ground surface that actually defines the floodplain. So, that can be over and beyond what the floodplain maps actually show. Again, the base flood elevation here is 3,418. We are recommending 3,420 for the lowest floor elevation for two homes and that includes a two-foot safety factor that is known as freeboard. This is the floodplain map with the 3,418 base flood elevation cross section, circled in orange there. If you take a look at the plat, there are two homes shown at approximately 3,420. The blue contour is something that I traced, showing what should be equivalent to the lowest floor elevation for the homes in lots 4 and 5, per our recommendation.

So, why elevate two feet above the base flood elevation? Freeboard is the answer, which is a factor of safety usually expressed in feet. It tends to compensate for all kinds of unknown factors that actually raise the base flood elevation. According to FEMA, that can include things like wave action, bridge openings, and more importantly for us and this county, the hydrological effect of development in the watershed. So, no matter what the floodplain maps show there's always factors that can raise that base flood elevation. We saw that most clearly in Orchard Homes in 2011, where we had a 10-year flood at the 100-year flood elevation. That's what freeboard is all about, that extra level of safety. Typically, for local regs, FEMA recommends one foot of freeboard. Missoula County, our practice has been two feet of freeboard for an extra level of safety. You can always be stricter than the FEMA guidelines and Missoula County probably for at least 15 years has had this two feet of freeboard standard. So circling back to the condition, our recommendation was merely to amend something that was already in the proposed covenants just to make the base flood elevation and first floor elevation restrictions a little clearer. So, if you have any questions beyond that commissioners I would be available to answer any of those.

Commissioner Strohmaier – So Tim, if it's not in the designated floodplain, what again is the definition of base flood elevation?

Tim Worley – That's the 100-year flood elevation or that recurrence interval of a flood that would happen one year in every 100 per the hydrologic record of the Clark Fork River in this case. So, where the 3,418 elevation intersects this property is the flood plain.

Commissioner Strohmaier – Okay. Would another option be to designate a building envelope on those two lots that is outside of the base flood elevation?

Tim Worley – I guess that would be possible. I think what's more precise though is to actually do the elevation certs. I think that would actually provide more freedom for those who build those homes on lots 4 and 5. Because then at that point they can, instead of relying on the surveying that we see now, they can actually certify that base flood elevation out in the field.

Commissioner Strohmaier – Okay, thanks.

Commissioner Curtiss – So, wouldn't it be simpler to just say that all houses have to have a minimum floor height of whatever it is, 3,420? I mean when building codes go to see the floor I don't think they check the elevation.

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Tim Worley – Yeah, actually it would be in our office that we would certify that first floor elevation.

Commissioner Curtiss – But you are requiring them to have someone provide you with that information, right?

Tim Worley – Right and it just applies to the two lots.

Commissioner Curtiss – I think what was stated in our briefing earlier this week is that the houses aren't, I mean none of those houses have to be built in those specific spots.

Tim Worley – That's true.

Commissioner Curtiss – The septic is identified where it needs to be because it's been approved. So, I would think that it would be just simpler to put that in there and let people be responsible themselves rather than make them do something. Did you have a question?

Commissioner Rowley – I was just wondering how much it costs to get the certification done, approximately.

Tim Worley – Ken may actually have better information about that. One thing that could happen, if the homes are built closer to Mullan Road itself, it might be easier to certify those first floor elevations as opposed to going through a more in-depth analysis. It can be easier to prove that you are say, 3,422, but if they are going to be homes, kind of daylighting off that terrace there's going to need to be more precise information. That's what we would recommend anyway.

Commissioner Curtiss – So that happens at the point where they get a building permit and submit house plans.

Tim Worley – That's correct.

Jamie Erbacher (from audience) –Basement concern.

Tim Worley – Yeah, basements can be eight to 10 feet in depth so you can build a, what I am calling a first floor actually could include the basement. You could include kind of the first living floor, if you will, if it's an unfinished basement at a certain elevation, but then your basement can be eight to 10 feet below that. So, that's why we require the certs, or that would be our recommendation anyway.

Commissioner Curtiss – So they would be allowed to build a basement below that?

Tim Worley – No, technically, what I am calling the first floor is the lowest habitable floor.

Commissioner Curtiss – Thank you. Any other questions for Tim?

Commissioner Strohmaier – Tim, so on any of the other lots though, lots 1-3; would basements be allowed there? I mean, conceivably would a basement fall below the base flood elevation? And would that be allowed?

Tim Worley - My understanding in talking with Todd is he didn't feel he could make the recommendation on lots 1-3 because the base flood elevation didn't intersect with any portion of lots 1-3, at least per the survey that we have. I think it's possible that you could have a basement that would go below that 3,420 on lots 1-3, but I think it's less likely that it would happen. And plus, as you move further west, the actual cross section that would apply to lot 1, for instance, may

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actually be the next cross section down river which is 3,415, I believe. So the game changes a little bit as you move further downstream.

Commissioner Curtiss – Mr. Jenkins, would you like to put on the record the estimated cost to do pre and post certifications?

Ken Jenkins, Montana Northwest Company – Do you want me to just address this floodplain or is this my turn?

Commissioner Curtiss – It's your turn. If you would like to do it in your talk that's fine. Sure.

Ken Jenkins – Okay, so let's start with the floodplain. Again, my preference is to see that condition stricken because it's not regulated as floodplain and it's, I would say, unproven science that 100-year elevation would in fact have a groundwater impact at this property. There is the old Milwaukee Railroad bed between this property and the river that would serve as a barrier to a flood. I guess my biggest problem with this is just that it seems sort of arbitrary like where do we stop? When you start looking at how a floodplain can impact a piece of property that's not regulated as floodplain. The other thing I would say is, I guess, I would be more inclined to put some sort of note in the development covenants or on the plat regarding the engineering that might be suggested to take a look at a groundwater issue for any particular building site, as related to a basement. Groundwater is an issue for a lot of basements in Missoula County, all over the place, and we don't regulate that everywhere else, but it can be engineered around. There are construction methods to create drainage and that sort of thing. So, again, this isn't a huge issue either way. The cost of preliminary and post construction elevation certificate is probably in the \$1,000-1,200 range that the landowner would have to come up with. It's usually an unpleasant surprise when they are trying to get building permits that that comes up. It seems like they are always in a big hurry because they forgot to address that. So, again, it could be regulated either way. Jean, you suggested, that we could take the 3,420 contour and make anything below that a no build, that's easiest enough to do on the plat. That being said, if somebody did want the daylight out of the bank, they may have to have a surveyor come out and layout the 3,420 contour. It's not unlike when someone is building at Placid or Lindbergh Lake. A lot of times, we are asked to stake the high water setback because there is a restriction to where they can build, but where does that fall on the ground is kind of an unknown. It would be similar. I guess the other conditions, and I am on page 13, of the staff report. The condition that the owner, all of the people that have been helping the owner with this, the condition we have the most heartburn with really is Condition #1. The shared approach is, as we discussed the other day. The intention here is good, to limit accesses on the county road. By doing shared approaches to limit those accesses, we have enhanced safety, but it comes with a real penalty if we are forced to build these ahead of final plat. It is a cost that, from a real estate market perspective, you're not going to recover. A lot is worth what a lot is. Some of them have approaches, some of them don't. It's a very normal and expected cost when someone goes to build a house that they also have to build a driveway, and if that driveway comes off a county road, getting a county approach permit is part of that process. The approach has to be built to the standards that are in the county approach permit process; otherwise, they won't get the permit or probably would not get an occupancy permit for the home. In any regard, the county is going to get the approach that they are after. To require it up front, as a condition of final plat approval, creates a hardship for our client. A significant hardship for our client and is a real cost that can't be recovered that normally is incurred by the homeowner that's building the house. So that one, I think, I would ask your consideration, I think it could simply be dropped with no further ado and when these lots are developed approach permits would be required at that time. And then, Condition #9 is very much related to Condition #1 so if #9 were going to go, #1 should have to go as well, and then of course the Condition #13 had to do with elevation certificates. Which it is not a huge deal. I am not going to say any more about it other than it's almost an arbitrary opinion without doing some work to prove that floodwater could hit this property or that it would contribute to groundwater. We really are a long ways from the river and there is a railroad bed that lies in between that undoubtedly would influence things. Helena Maclay is here today, who has been helping us, works with our client on a variety of things, has helped kind of shepherd as the

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client's representative with us to get through this subdivision process and I think she would like to say a few words as well, if now is the appropriate time.

Commissioner Curtiss – Thank you, Mr. Jenkins. Yes, Helena.

Helena Maclay, Attorney – I have represented Kathleen Holden since 1982, when she came to me with a collision of estates. Her uncle and her grandmother had died and another uncle had died all without wills. She needed help in gathering together her family lands to keep her home place. She is now 78 years old and in the record before you, there is a guardianship order by one of our local judges. That order hasn't been supplemented in your record, it has been determined that the guardianship proceeding would be dismissed. That's not to say that Mrs. Holden doesn't have big challenges. She's elderly, she survived the death of her husband after approximately four years, I think, in a nursing home where she paid for his care and she exhausted herself. She has done one subdivision before that was Holden Addition 1. It went relatively smoothly, she was much younger, she is an attorney, although she doesn't currently act as an attorney in terms of her analysis of things; although, she's quite sharp about things. She finally concluded that a subdivision of this property would be the appropriate thing to do with it as her sole or most realistic source of income. She does have retirements, but her husband is dead, his pension is gone and this is substantially the, she does have other lands too, agricultural lands which are her home place, and I think Kathleen will die before she diminishes them in anyway. She has turned to this property, which lies between a long way away is the railroad, there is a big powerline, there's an interstate, another railroad, it's not what I personally consider to be prime agricultural land. These families lived on it for many lifetimes and Kathleen has told me they do anything, except maybe graze a horse on it. That's it. It is not irrigated and can't be irrigated. The DNRC [Department of Natural Resources and Conservation] records on this project indicated there is limited water available by groundwater that they've linked together under, what I think, is the old statute or old regulations. But, I don't think the groundwater will be a source of any irrigation and I agree with the presentation that says that it's unlikely that this could become an agricultural operation. That's not to say that there isn't agriculture next to it. Diane Welty owns the land to the northwest, which I think, is the quote agricultural facility. There is a barn there and she owns the lands to the south of this property and operates it for her livestock. So, we come then to the village that is here supporting Mrs. Holden. This morning I asked Ken what the engineering and review costs for this subdivision have been. He couldn't tell me and finally I eked out of him that he, like me, like others, who are working on this project are contributing a fair amount of pro bono, shall we say. We just need to get this done for Mrs. Holden and get these lots marketed. Bryan Flaherty is here, he is the marketing agent for the property, very familiar with it. He again, has a long-time working relationship with Mrs. Holden, which is key to our getting these things done. It comes as a real burden to the village supporting Mrs. Holden and Mrs. Holden to make her, the developer, pay for the approaches to East Mullan Road. Ken tells me that the cost will be \$12,000, approximately \$3,000 for each side of the two shared approaches; \$12,000 that will not distinguish these lots from any other lots. One lot apparently with its own approach doesn't have to either be paved, I think it will ultimately be paved for the approach, but it can do that. The developer has no obligation to do it, the homeowner may do it. So, what we are asking is, that you treat all the lots the same way you treat the single lot. And that is, make Condition #11 or the finding 11 that says, I am particularly looking at page five of this executive summary, effects on local services the findings of fact #11, the 16-foot individual approach serving lot 1 will be done at the time of building permit review. These essentially are approaches for each of these shared approaches is a 16-foot wide allocation to each side and they are both adjacent to each other. So, to call this approach a county road really is a stretch for some of us. And so, we suggest and really ask that you make all of the lots subject to the approaches being constructed at the time of building permit review, or as a part of that process. The county will get exactly anticipates and deserves. Mrs. Holden doesn't want to cut the corner here. She's not saying that there should not be an approach that is the area between the north side of these lots and the south side of the paving on East Mullan Road that that should be paved, consistent with the Department of Public Works requirements. But, it should not be treated as subdivision improvement that is therefore required to be paved by the landowner; this landowner. Also, to say, while you can just say, 'Oh, it's an improvements guarantee,' these

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guarantees are expensive and it assumes that Mrs. Holden, or her village, will be around and available to deal with each one of these approaches at the time they are to be approved by the county. If the county doesn't approve them they are continuing liabilities for Mrs. Holden that really shouldn't be hers. The second, the other findings of fact need to be changed so that #6 which says, it will be two 32 foot-wide paved approaches. I think we really ought to be saying, these approaches throughout here, the approaches will comply with the requirements of public works. They will be paved at the time the building permit is done, but the whole thing won't be paved it will be on narrower surfaces paved. I understand from Ken, this sort of looks like we are going to have a major intersection at each one of these. The regulations of Public Works would define that so I think that should be tweaked to show that really it will be a paved approach, as approved by Department of Public Works at the time of the building permit process. Number seven should be removed. That's the requirement that they be constructed and paved prior to the final plat. Number eight should be removed, again, because it talks about installation or an improvements guarantee. And, as I indicated, #9 and #10 are fine and #11 should apply to every lot. There are covenants that were attached to this that blend together, in my opinion, the concept of the approach versus the driveway that will be shared between these lots. The driveway, I think, is to be only about 12 feet from, the shared driveway, from the northern boundary line into the property and then the landowners can figure out their driveway. I have drafted, or will redraft the portions of the covenants dealing with this so that there are two documents, one for each of these lots. One deals with the requirement for the construction of the approach as part of the permit process and the other deals with the construction and maintenance of the shared driveways and there will be an easement for that shown on the preliminary plat. I think that solves this. It's confusing to me at least reading this, about shared approach versus shared driveway. I think we can clarify that. I am a little more passionate than Ken is about the cost incurred by Mrs. Holden. When he says, well it's really insignificant, it's only a few thousand dollars to do the certificates for each of lots 3 and 4 for this. I'm stunned frankly. I don't do development work. I am trying to preserve landscapes usually, but I come for special people before you so maybe I am missing the whole point, but I am stunned to hear that our floodplain, which shows this exacting thing, can't be relied on. That there are other parts that someone can finally show us without evidence of flooding over hundreds of years that they too are part of the floodplain. If you have discretion, as I think you do, to eliminate this pre-imposed certification, I would suggest that this is an excellent project to do that on. I don't think that the problem will end just with the certifications. I think that people who are borrowing funds will deal with flood hazard insurance. I mean this is really speculative to take these recently approved and really groomed maps for this area, that's my understanding, and extend them to an area far beyond the barrier of the former railroad elevated way that's south of this. I would suggest that you remove that in any form from this subdivision. There's no foreseeable risk, really, that these lands will have that problem. I think the risk might be as great for hundreds of other properties in Missoula, and as Ken said, the speculative of this is it is speculative and it appears very arbitrary to me standing on the outside. Plus, it adds a not insignificant \$2,000 to somebody's home. And so, we are trying here to create these lots. These are lots that will be possible workforce housing. These are lots that will be accessible to people and to add these costs is a needless expense, really extraordinary needless expense for people. I did finally peek out of Ken, that he thinks, that as of before the last month or so, that the costs just for engineering and for approvals on these lots range in the \$10-12,000 per lot right now. Now, I know, that that's a discounted cost. So, every time there's a review there's a fee. And I am not questioning that the 18 months or two years of review haven't been needed. And, unfortunately, there were changes of forms and lots of other things that Ken has talked to you about, but, in this instance, we should be streamlining this kind of result and the result that you get here can be applied to any other subdivision, minor subdivision, in this area. Thanks very much for the opportunity to comment.

Commissioner Curtiss – Thank you Ms. Maclay. Is there anyone else who would like to make comments today?

Bryan Flaherty – I am a real estate broker and have been for 43-44 years. I guess one point on the shared driveways. I was a land agent on the Hamilton-Victor project a number of years ago, eight to nine years ago, and there was a really deep concerted effort to bring separate driveways

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together. Make joint approaches to eliminate the number of approaches and I think that project eliminated about 30-40 road approaches in seven miles, which on a four lane road, was a lot. I look at this requirement, I guess looking when I first saw the plat with the joint road approaches having had that experience of shared driveways that that takes two extra approaches away from traffic coming down the road. There appears to be a penalty in development by trying to create safe roads. So, if I build my next subdivision and I put five separate approaches out then I am okay, but if I try and join them and make them and make the road approaches more compressed and make less road approaches in that area, there's a penalty of having to add additional cost. On the cost factors, I have been working with Mrs. Holden for a long time on a lot of number of different issues. This project originally came to me last fall, they thought last summer last we were about ready in the fall, we might be able to get it to market. And then the fall came and went and then we should possibly have this on early spring so we could get it on the market. This is income that she needs to get these sold to recoup her investment thus far, as well as to support her condition or her ongoing living. Now we are in the middle, pushing toward the middle of June, that whatever we can do to wrap this up and be able to get these properties on the market as soon as possible. Another 60-90 days, we will be looking at next spring's market and we will be another year out again, so I do know there's financial stress on her part to try and get these lots on the market. I can also attest that there's demand. We did sell one lot that came up for resale and we had a number of interested buyers and that lot did sell and close fairly quickly. So, there is a demand for the product, there is demand for people looking for housing and these are workforce housing priced lots. So, anything you could do to help expedite it and move it through would be greatly appreciated. Thank you.

Commissioner Curtiss – Thank you, Mr. Flaherty. Anyone else that would like to comment?

Deb Bell-Assistant Director, Missoula County Public Works – I am here to speak on the shared accesses that we are requiring. A few years ago Ken approached our office in regards to this and we looked at what they had proposed and we looked into individual accesses and we all agreed that the best thing to do here would be to have shared approaches. But, given the constraints of Mrs. Holden and what we could do to assist her, we looked at our Public Works manual and tried to find a solution that would be best for everyone. I would like to read a few definitions to you. Currently a road, which needs to be engineered and constructed, is a "travel way providing access to two or more properties of adequate width to permit the unrestricted movement of traffic." So, when we looked at what they were proposing we said, 'Okay, are they actually proposing two roads?' And, we said, 'Okay, that would be an unfair burden on her, do we have something else that could fit?' And we looked at all of our different criteria and we agreed that no, we could actually use the definition of a shared access because those two shared easements that would be providing access to four homes would actually meet our definition better. They are not more than 150-feet long, they actually front on a county public road that is well-maintained; they would be addressed so that the fire department can see them when they are racing to a 9-1-1 event. So, we looked at various numbers of factors and came up with okay, shared access is the best way to go with this. We then also looked at do they need to be paved? We have a responsibility to Missoula County to protect our assets and one of those assets is our paved roads. When you have gravel roads that approach paved roads, you have a tendency to eat away at that pavement and it causes a faster deterioration of that road base and bed and pavement. So, it's a note they are going to have to be paved. Now, because they are shared, right, I understand why they want to put the onus of constructing those approaches on the passing the buck, as you will, down the line to whomever's going to purchase them. But, you have to understand that when someone's going to come in build say, one of those shared lot roads or approaches, they are going to bear the burden of constructing the whole thing for themselves and whoever buys the lot next to them. Now, is that an unfair burden just because someone's there first? So, that's why we requested it be made a condition of subdivision approval. It's just the approach. It's from the paved edge to the right-of-way line and that way it would alleviate that problem and that burden of whoever gets there first is going to have to build the whole thing. So, that's why we made the request that it be a part of the subdivision improvements to construct that.

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Commissioner Rowley – Why does it make more sense to pass that burden onto the developer than onto the homeowners? If it was a concern about burdening someone, why is the concern about burdening one party and not another?

Deb Bell – Because you are putting then, the burden, on whoever comes in first for a building permit.

Commissioner Rowley – So, and I think we kind of discussed this at our update meeting, about how it can be constructed such that the second party can incur costs as well. I don't remember who, was that Ken, were you the one talking about that? Maybe you could address that because I do feel that this is a definitional issue where really these are driveways...

Commissioner Curtiss – They are approaches. They are not driveways.

Deb Bell – They are approaches.

Commissioner Rowley – And to consider them improvements like roads, it's omission from the language. It's not specifically stated that that's the way it has to be interpreted and it seems like we are interpreting it in burdensome way.

Commissioner Curtiss – If they were doing an approach, an approach for lot 1 is not as wide as the approach for the other ones. Right?

Deb Bell – That's correct.

Commissioner Curtiss – So, they could build it. Let's say, somebody bought lot 3. They could build an approach to lot 3 that could be added onto by lot 4. You can add onto a culvert, you can add more dirt, you can add more pavement. Right?

Deb Bell – That's true, but...that's true. I won't disagree with you there. However, because it has to be the full width, the 32, it's easier to do it all at once then it is in piecemeal, I'll put it that way.

Commissioner Curtiss – That's correct, it's easier and more cost effective.

Deb Bell – That's correct because eventually what's going to happen, if you approve one that says, 'Okay, I am only going to put in 16 feet and they only put in 16 feet of culvert.' And a guy next to him says, 'Well, then I will build mine.' You are going to have a gap there. They are not going to put in the full 32 feet of culvert that's required for the entire approach. So you are going to end up with grating and drainage issues.

Commissioner Rowley – Don't they have to get a permit to do it so it has to be done right?

Deb Bell – Yep. But you're only restricting the one-half, so they only have to build their half and then the next person comes along and they are going to build their half.

Commissioner Rowley – But they are going to get a permit for that second half so that they are going to add enough culvert.

Deb Bell – But they are going to have to dig up that first half then in order to relay that whole 32 foot culvert.

Commissioner Curtiss – They can be added onto. I think they can.

Deb Bell – Not without grating and drainage issues, but yes.

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Commissioner Strohmaier – Thank you. I just wondered if Mr. Jenkins could recap kind of what we discussed the other day in terms of the logistics of how this would work with one party coming in prior to another constructing it.

Ken Jenkins – So, I have an interesting perspective. It actually happened in the Rattlesnake perhaps when you were working up in that neighborhood. We had a subdivision that I did right across the road from my house on Duncan Drive and we did shared approaches in two locations. In this case, there was quite a drop off from Duncan Drive. So from a construction logistics standpoint it was a much more challenging side-by-side driveway situation than what we are talking here on Holden's property. But, I actually got to see this happen where the lots were developed separately over time and the approaches were built one-half of an approach at a time. And so, with the culverts that were laid with the drainage, simple matter of a small amount of excavation on the end of the first culvert. They have culvert buckles. You buckle the two culverts together, there's not a gap and you extend that culvert and then basically start building fill up next to the fill that's already there and then paving right up to the pavement seam that's already there. And so, there's two of those up there that were both built that way as each lot was developed. It is very possible to do. I don't think it ended up costing either party a significant amount more than if it was all built at one time, and those have been there for several years now, and they appear to be functioning nicely. That was just my first hand perspective of exactly what we are talking about. On the Holden property I would add that there is very little grade issues from the edge of the county pavement out onto to the lot. It's pretty flat ground so there's not a lot of fill involved.

Commissioner Strohmaier – Yeah, just a follow up. If, hypothetically, we were to strike Conditions #1 and #9 would the approaches still be required to be paved as part of obtaining a building permit?

Ken Jenkins – Yeah, the paving thing, I totally agree with what Deb said. That if you get into the Public Works regulations and design criteria for approaches and approach permits, it's right there. If you are bringing a gravel driveway onto the edge of a paved county road there is an apron necessary, and for the very purpose that she said, so that the gravel isn't traveling out and chewing up the asphalt. That's really a very common aspect of an approach permit.

Commissioner Curtiss – Any other public comment? Yes, Helena.

Helena Maclay – It's clear that the paving of an approach is a burden to somebody. The Department of Public Works has no business, I think, deciding who it's most convenient to impose on. Especially when there can be contractual arrangements made and will be made by Mrs. Holden upon the sale of these lots to make sure that driveways are easements that are shown on the plat and will notify that they do have to share an approach. We do intend to have a shared approach agreement in some form that's outlined in this and there can be contractual arrangements made by the seller to provide that whoever gets there first builds whatever they are going to build and if it's used by the adjacent lot, those people have to contribute to it. And then it is up to the lot owners to scrap over who shares that burden. It's really not a problem that we have to create here.

Commissioner Curtiss – So I would like to thank Public Works for trying to figure out the economy of scale. It is less expensive, it's going to be easier, it makes more sense and I think that's what they are trying to do.

Deb Bell – Thank you. That is exactly the point I was trying to make is that we have looked at this. We have to tried to make accommodation where we can, but we do have to protect our assets. As far as figuring out who has to, you know, people squabbling over what. When people come into our office and they apply for their approach permits, my staff bears the brunt of that. They voice that very firmly to our staff when they have to apply and it's \$52 for their approach permit. So the question then becomes, okay, do we charge \$52 for each one? Each person on each side? So your \$52 permit just became a \$104. So we've got that that we have to contend with. I would also request then, if you are leaning towards making it a condition of, you know whoever gets there

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first for building permit, that it be very clear on the face of the plat, in the development covenants, and to the realtor who will be selling these, that it is a disclosure issue. Because we often times at Public Works have to be the arbitrator of these conditions and these requirements. Thank you.

Commissioner Curtiss – So, since we have attorneys sitting here, I would say that if this is the way the commission wants to go, that the finding of fact number nine that talks about access to lots 2 and 3, and 4 and 5 would be shared. We could add language there to say, “must be in the disclosures” or something like that. Would that be in the covenants, is where it would be I guess.

Helena Maclay – It’s going to be in the covenants and a buyer should read the covenants.

Commissioner Curtiss – We need you on the record. Our experience in having people come before us is people do not read all the words on the page. That’s the only reason we bring it up.

Helena Maclay – That’s my experience too. That’s why the more you lay onto the less common sense people might have. I don’t know.

Commissioner Curtiss – You had stated earlier that you were probably going to tweak the covenants a little bit about the driveways. I mean that’s probably where it would be pointed out.

Helena Maclay – Yes. Right, to be signed by the buyer of the lot and essentially it says there are two agreements as were proposed, but they blurred driveway with approach. What I am proposing is that the buyer of the lot acknowledge that they have a shared approach and a shared driveway and a second agreement. That we acknowledge that these properties might not be developed at the same time and whoever expends the funds to install the approach will be entitled to recover half of their out of pocket expenses from the adjacent lot at the time a building permit issued for that lot. But it does make it between the two lot owners. It’s not something that is part of the approach permit.

Commissioner Curtiss – Although, what Mr. Jenkins just said is folks could actually build their own half and not have to pay somebody back.

Helena Maclay – The document that I’ve read and looked at hasn’t addressed that. If that is something that is going to be permitted, we can make a specific agreement between the lot owners stating that and they will have to be signed. They will be submitted as part of the covenants in your packet.

Commissioner Curtiss – Right. I am looking the shared driveway maintenance agreements and that kind of stuff. They do have to sign it so that is kind of a disclosure, I guess.

Helena Maclay – Right.

Commissioner Strohmaier – So in terms of just process, amending findings of fact or the covenants, can that be something that is done after the fact here? So in other words, based on whatever conditions of approval we ultimately end up adopting, is that staff would be able to work on?

Casey Drayton – In terms of making a finding of fact to support that?

Commissioner Strohmaier – Yeah, if there is a disconnect between findings of fact that are here right now that indicate that are I guess supporting the condition of approval related to in the shared access...

Commissioner Curtiss – I think that we could add in our motion to say that the covenants will reflect the changes made today, or something like that, if we made changes.

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Casey Drayton – If there's a simple change here where we can shift some wording around. If it's a total revamp, it may take some wordsmithing to get it lined up correctly how it's being approved or denied.

Commissioner Strohmaier – Yeah, I guess I am just thinking in terms of if there's something that, and maybe Tim has some insight on this. I just want to make sure that throughout the staff report here, whatever findings of fact actually line up with what conditions of approval we ultimately end up adopting here today. The same would go for the covenants. I would want to make sure that that get a second look as opposed to just on the fly right here today.

Commissioner Curtiss – Helena, did you want to respond?

Helena Maclay – I believe that I can present you with a handwritten markup. Maybe you would like to proceed, take a break, we can present with a handwritten markup that eliminates, as I had recommended earlier, some of these findings of fact. The findings of fact would then be congruent with our suggestion for the amendments to the conclusions and conditions. I think I can make you a handwritten sample of what we've been testifying about.

Commissioner Curtiss – I think the findings of fact, that's pretty clear, we know how to do that. I think what we want to do is make sure the covenants line up to that if we change it. Cola, did you have a question before Tim answers?

Commissioner Rowley – Go ahead, Tim, first.

Tim Worley – I think we can keep this relatively simple. If you look at Condition #1 and folks feel free to comment on this, but the language could be amended as follows, "The two shared approaches to access lots 2 and 3, and 3 and 4, shall be paved and constructed prior to building permit approval. The requirement shall be included in the covenants and on the face of the plat subject to CAPS review and approval, prior to final plat approval." So, as far as the amendments that we are talking about to actual covenant language that would empower that to happen. We could get into the nitty gritty of findings and what the actual text of the covenants is going to end up being today. I don't think we need to do that. I think as long as we empower this whole process to happen at building permit and then just extracting the findings that essentially you are making, right now, we can make changes. If that makes sense.

Commissioner Curtiss – Although, we have been told in the past to not put conditions in that are not needed. To me, we don't need all that condition stuff because it's as simple as all approaches must be permitted by Public Works. They are going to have to be built to standard. They are going to have to be paved and all of that stuff so I just don't think we need to; I think we should just pretty much either strike number one or just say all approaches will be permitted which is already required so not needed. I don't know.

Commissioner Rowley – Or do we have to specify how it will be done? If it's more of the latecomer agreement of paying the other person who did it before or doing half-and-half, I don't know. That should probably be specified somewhere to avoid landowner wars.

Tim Worley – I would personally recommend against a latecomer. I mean whether one-half gets paid or both halves get paid as far as the payback provision, my recommendation would be to stay out of that. I think that's between shared lot owners and it could get kind of messy because it's following the actual filing of the plat at that point. I was just going to say trying it as a condition sort of the way I read it, actually makes it easier for our permit reviewers when the permits are being circulated for the individual homes. It could be as bare bones as suggested. It is just that Jamie who kind of oversees the land-use permits circulation said that we need something there as a flag when this permit moves through, when the first building permit moves through.

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Commissioner Curtiss – Tim, could you give that language to Casey. Casey, do you have the ability to type and put it up on the screen? So that we could see what that said. Thanks.

Deb Bell – Thank you. I would ask that you keep it as a condition for the purpose that Tim said that it would be as a flag when someone comes in to get their permit and that way they would, CAPS would look at the condition as would our engineering staff and say, ‘Oh yeah, you are supposed to meet this condition.’ Because it could be five years down the road that someone builds on here and you don’t know who is going to be around at that time. The other thing I noticed is that there actually is a typo in that condition. It should be lots 2 and 3, and 4 and 5. Thank you.

Commissioner Curtiss – You’re right. So Tim’s going to write 2 and 3, and 4 and 5.

Commissioner Strohmaier – And Casey and Tim, I am assuming some similar language would need to be inserted into Condition #9?

Tim Worley – I believe we could eliminate Condition #9.

Commissioner Curtiss – And then in the findings of fact, I think, that if this is the way we are going, we would eliminate six, seven, and eight and amend 11. To say, “all approaches require an approach permit at the time of building permit review.” And that might be, well no, you would want it in the conditions to say if they can do it half and half or whatever.

Ken Jenkins – I just wanted to say that, from our perspective, what you are doing here works. Whether we have Condition #1 or not as you say that that’s a permit they are going to have to get anyway. I would point out the covenants. I agree with Helena’s assessment that happened this morning. The development covenants related to the shared driveways. I think the more we can leave that into the private party versus private negotiation as these lots are sold makes it cleaner for the county. If they are individual side by side approaches that are built and results in a shared approach, that’s one thing that should be allowed to open. Or, if for whatever reason, a party wants to build the whole thing up front that should be allowed to happen too. If there’s a compensation after the fact, that would be best left between the two private parties.

Commissioner Curtiss – Ken, if I could interrupt. If you look at what’s on our screen, and I’ll leave this to maybe John and Tim too, but would it be better than if we put in here, as Cola said, between the first sentence and the second sentence; it would be allowed to build half at a time as long as you worked with, you know, build one half of the approach? I mean, do we want that in here? I think this is where you’d put it. Whether they decide in their covenants that no, we are going to sell these and say you are going comers, that’s ok, but...

Commissioner Rowley – Although, number 11 does say the 16 foot wide individual approach and if we expanded that to all of them that would be saying that the half is okay. Right? But I don’t know if we need to specify that somewhere else as well as other than the findings of fact.

Commissioner Curtiss – Right. So the findings of fact I don’t think, and I am looking at Jamie’s head nodding, when somebody comes in you are more apt to be looking at the conditions than back at the findings of fact. Right? So if we put it here, it would be easier to find?

Jamie Erbacher - (inaudible from audience)

Commissioner Curtiss – One half of each approach shall be...we could put may be permitted. Well, no, I guess you want shall, don’t ya?

Tim Worley – May is permissive so it’s fine. I could add may.

Ken Jenkins – Lastly, I was just going to point out that there is a condition, I forget which one, that references the development covenants themselves in general that the development covenants

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shall be recorded with the plat and are subject to final review and approval by CAPS. I think that language allows CAPS to assure that...

Commissioner Curtiss – It's all covered.

Ken Jenkins – We already know that developments covenants need some cleanup. Helena noticed that this morning and worked on that some to make sure we've got a very clear distinction between the driveway and the approach and all of these terminologies that we are sort of getting mixed up. So, that cleanup is coming and from the county's perspective, that condition that the covenants be recorded with the plat subject to CAPS review and approval, I think that is the assurance that we get this right in the long-run. Thank you.

Deb Bell – The devil is always in the details here. The way this is written, someone has to come in and they have to actually build their portion of these shared approaches, prior to the building permit being approved. That means they can't even start construction on their home until that approach is built. You are going to have people arguing, 'Well, my truss driver is going to ruin my approach and why do I have to do this now?'

Commissioner Curtiss – Oh it should say, shall be approved. Because the paved and constructed is going to be something that building permits follows up on. Right?

Deb Bell – Correct. It has to be installed prior to a certificate of occupancy.

Commissioner Curtiss – Okay. So it should say, shall be permitted prior to building. Instead of paved and constructed.

Deb Bell – Correct.

Commissioner Curtiss - Can you change that to permitted? Good catch.

Commissioner Strohmaier – So, as far as the sentence that reads, "one-half of each approach may permitted to be built for each lot."

Commissioner Curtiss – Should say one-half of each shared approach. Shouldn't it?

Commissioner Strohmaier – Yeah, I think so, but I guess my other question would be, yeah if it remains it should read that way, other than, for clarification, is that sentence even needed in there?

Commissioner Curtiss – Well, otherwise, they could come to building permits, they've got a plat, it shows shared driveways and that is one approach in Public Works mind unless we give them permission to build an approach just to access their lot. Hopefully they are all going to sell next week and they'll be ready to share lots. I think that's the only reason it needs to be in there is so that it's in the conditions and it's not, you know, Deb might not be there. It could be five years down the road, she moved to Scotland, and somebody doesn't have the history with it, so I think that's the reason we put them in conditions. Does that sound fair?

Commissioner Strohmaier – Okay.

Commissioner Curtiss – Thanks. This is great when you can do that and we see it better. I would just like to address a little bit of the stuff with the floodplain. There are a few things in place. One is the county really does need to protect ourselves so that we are not liable saying we let somebody build where they are going to get flooded. FEMA doesn't allow us to count a railroad bed, even though it probably works just as well as some engineer dikes that are somewhere. It's mostly a safety issue and yes, it could raise people's cost but they also could, I mean they want to make sure their house isn't going to be flooded, so hopefully they're having the contour lines looked at anyway. I guess I understand what people are saying. \$1-2,000 is \$1-2,000, but it is also a

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protection from flooding, which we've had that happen. Ken wanted to respond I think first, unless you wanted to add to this thought.

Commissioner Strohmaier – Well, I do. Before Ken responds Casey, could you pull up the floodplain map or graphic? So, I guess my question again is, okay, we see the 100-year floodplain depicted on there. What is the connection between that, the area shaded in blue, and the base flood elevation? Because I think as Ken was maybe suggesting earlier, there are undoubtedly areas quite distant from the FEMA floodplain as depicted that is at that lower elevation. So I mean, at what point away from when you get back a couple miles there is a hypothetically that base flood elevation quite distant from the river? Does that still apply? I guess I am not quite understanding the connection between the area depicted in blue and the base flood elevation.

Casey Drayton – In terms of extrapolation of those lines out I'll turn it over to Jamie, in terms of the stretch that it would take there.

Jamie Erbacher, Planner, Community and Planning Services – So the blue is the actual floodplain that's what's designated by FEMA. As we have talked about, there is the old railroad grade. Jean mentioned that's not used as a flood control structure. There's several times where roads go underneath railroad grades so there's holes in those so obviously they are not going to protect the floodwater from going through. This property is technically outside of the floodplain, but as Tim mentioned, anytime there are structures built within the floodplain, in the 100-year floodplain which is permitted under some circumstances, that has the potential for rising the flood elevation which disperses to other properties. The protection here that Todd was trying to get at was for groundwater inundation of basements. So not necessarily overland flow, but groundwater inundation coming up into those basements. Our typical recommendation is two feet above that base flood elevation to protect against that groundwater inundation and contamination of the wells.

Commissioner Strohmaier – So I guess my question is how far out can that 3,418 elevation line be extrapolated?

Jamie Erbacher – That requires a complete engineer of study. That is going to require more money now on the developer. So, rather than saying we know that this flood elevation is at this point at 3,418, I think it was, rather than requiring a full engineering study we could say, 'Well to protect and mitigate for groundwater inundation we should elevate those homes at 3,420 to protect public health and safety.'

Commissioner Strohmaier – Yeah, I guess I'm still not completely...

Commissioner Curtiss – Well, this isn't two miles from the river though.

Commissioner Strohmaier – Well, it isn't, but I guess anything out of the FEMA 100-year floodplain, whether it's half a mile or two miles, what's our gage for saying, 'Yeah, a full engineering study is going to have to be conducted.' I mean if this was up in...

Commissioner Rowley – Or when do we worry about the groundwater inundation like if you are 20 miles from a river do you look at groundwater inundation? Or how is that looked at?

Jamie Erbacher – Well, I don't think in that case. But here we have some elevation data that shows, and that's why Todd only went to the 3,418 on lots 4 and 5 because those are at the base flood elevation. So he stayed away on the other lots because he said, 'Well we really don't know that there is a flood hazard there.' So, I mean, where we are seeing that elevation and that development that's where we are going to be more concerned, if that makes sense.

Commissioner Strohmaier – Not entirely, but maybe Tim has, thank you.

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Tim Worley – I think what we are talking about is 3,418 within the natural floodplain of the Clark Fork River, not north of the freeway, not outside of the Clark Fork basin. It is a pretty low elevation. So if you look at, this is a terrace that drops down to the actual natural floodplain. We are talking the very edge of the natural floodplain of the Clark Fork River. Where 3,418 intersects this property that is regulatory floodplain. Even this didn't go through subdivision, if somebody wanted to place a home down below that terrace, they would have to come to Todd and Todd would say, 'Per the floodplain regs I can regulate the first floor elevation of this property.'

Commissioner Rowley – Can I read the language on that reg again? The subdivision reg that you had.

Tim Worley – Yeah, it is actually both a subdivision regulation and...

Jamie Erbacher – And just another example too, is like, you take the Orchard Homes area. So there is a lot of that area on the south side of the levy that's considered out. It is considered shaded x out protected by the levy. There's plenty of homes in that area that have basements though that flood. So again, had we been thinking back then, we would have said basements are prohibited in those types of developments.

Commissioner Curtiss – In fact a lot of the water in 2011 was actually groundwater not river water.

Jamie Erbacher – Exactly.

Commissioner Rowley – And as far as this being arbitrary, I do feel that the subdivision regulations and the floodplain regulations address this possibility, that we have the ability to regulate this. It is not an arbitrary thing, you know, rereading this language.

Jamie Erbacher – Correct. Just to follow-up with Helena, flood insurance would not be required on those homes because they are not shown within the mapped floodplain, which is what the flood insurance companies look at.

Commissioner Curtiss – We are just trying to protect basements from water.

Jamie Erbacher – Exactly, yep.

Commission Curtiss – Or their bottom floor.

Jamie Erbacher – Yeah and I mean we can look at it as a needless expense to pay \$2,000 now to do pre- and post-elevation certs or we can look at it as a needless expense when people are having to pay fix up their basements once they've been inundated by groundwater.

Tim Worley – We just have one example of a repeated flood loss property in the Kona Ranch Road area that I think it has been flooded two or three times in the basement. It is outside of the mapped floodplain, but it has that groundwater inundation problem. That's the very thing that we are trying to prevent in these sort of situations.

Commissioner Curtiss – Right and you can tell by looking at this map that's up right now, now that you made it a little bigger, you can see then where the river has moved in the past, stream migration.

Commissioner Rowley – And I know someone who their basement is flooded almost every year by groundwater and they've spent much more than \$1,000 to 1,200 dollars dealing with that problem. So probably better safe than sorry when we are within our regulatory limits.

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Helena Maclay – It looks to me like the natural floodplain of the Clark Fork River might of gone north of the Burlington Northern Railroad and the freeway and are those viewed as FEMA barriers to this issue or will you be applying this to developments north of the freeway?

Commissioner Curtiss – North of the freeway? So I see the Burlington Northern Santa Fe. So if folks come in for permits, you know, it depends on what elevations their property shows. The freeway is also not considered a flood control.

Helena Maclay – It appears to me, if you look at the colored map behind you, I can't show you very well, but if you look at where there are developments just to the north of the freeway that appear to be in the historic and natural floodplain of the giant floodplain of the Clark Fork River. And under the analysis, what I hear you saying is that any elevation that comes at 3,218 will be scrutinized for groundwater flooding under the analysis you have been talking about today. I just am wondering is that really true?

Commissioner Curtiss – Well, I can't tell you today, but it is likely that those have the same rule about don't build it. You know, make sure your floor is above that 3,420.

Helena Maclay – So this has been imposed on building permits north of the freeway?

Commissioner Curtiss – Some of them could have been built before we had building permits too.

Helena Maclay – But they are at risk for groundwater flooding under this analysis?

Casey Drayton – It would be based on the elevation

Helena Maclay – At 3,218?

Casey Drayton – Yes.

Tim Worley – I think short of having established elevations it's really hard for us to answer that question right now.

Commissioner Curtiss – But if they are at that elevation, they should be. I mean if you remember the floods of 1996 and 97, north of the freeway in Clinton was a big ol' lake that that horse barn was under.

Helena Maclay – That was Clinton Irrigation District flooded the stable.

Commissioner Curtiss – Yeah, that one was. The irrigation did it.

Helena Maclay – The other question I have is why if FEMA accepts one foot and we are being over careful here, why can't we have one foot in Missoula County?

Commissioner Curtiss – Probably because we've been sued for many thousands for being a little extra cautious and FEMA allows us to be more cautious.

Helena Maclay – I understand that.

Tim Worley – Jamie mentioned, the state of Montana has the two feet of freeboard as well. Right?

Commissioner Curtiss – State does? Yep.

Commissioner Rowley – I have a completely unrelated question. The water for sprinkling, where's that coming from for each property?

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Casey Drayton – You are talking about residential fire protection?

Commissioner Rowley – Yes.

Casey Drayton – The chosen water supply is residential fire sprinklers.

Commissioner Rowley – And they are just providing that out of their own wells?

Casey Drayton – I believe so, I think Ken could speak to that a little more clearly in terms of the flow out of the well.

Commissioner Curtiss – Right. You put the system in and it's connected to your well.

Commissioner Rowley – Often times, personal wells, or whatever you call them, don't have the flow rates necessary for fire protection. Do you have any analysis on that? Or is that just gone through...

Ken Jenkins – I don't have any solid analysis of it. I know the wells out here are pretty good.

Tim Worley – I think a rule of thumb I have heard is that if you are below 30 gallons per minute you have to install a pressure tank and that's not uncommon nor is it problematic for providing the sprinkler flows.

Ken Jenkins – I was going to comment on the floodplain again and then I was not going to comment and I don't know. At the risk of complicating things, if you look at lot 1, which isn't part of that deal, the ground elevation at lot 1 ranges between 3,426 and 3,428. If someone puts in a ten-foot basement they are below the elevation. If somebody builds on lot 5 and they build out close to the road, the ground elevation out there is 3,436. I totally get where you are trying to go here. It almost seems like if somebody comes into Public Works with a site plan for a new home and they are building the footprint of that home very well could be at 3,435 and they're not proposing a basement. Why would they have to do an elevation certificate? I mean it almost seems like if it could be worded such that Public Works, or CAPS, or the floodplain administrator has the latitude to require the pre and post elevation certificate, depending on his review of the house plan. Because if somebody's going to come in really on lot 1 and have a ten-foot basement, they are below the elevation. And what we are, we are kind of probably making more than we should out of that little swale where you drop down, that's more likely a historical geographic feature from the last ice age than it is a recent floodplain feature. I mean I like the idea of what you are trying to protect here, but it's at least somewhat likely that someone's going to propose a house that this is just absolutely not applicable to and we do this work. I would say that if it is going to be a requirement, I am going to be accused of generating work for myself here; I don't know why lot 1 is different from the rest of the lots to begin with. And it seems like depending on the house plan that's brought in, the requirement could be waived if they're sitting on high ground with no basement.

Commissioner Rowley – I think that that meets the intent of what we are actually trying to do a little more closely so if we could tweak that language. Does that make sense to you?

Commissioner Curtiss – Yeah, that's why I was thinking also that if it just referred to all lots and that if maybe your house plan was within the...because you could easily go below that over there and get inundated.

Commissioner Strohmaier – Yeah that was my question for staff. Could language be flexible enough to allow that scenario? And this is what I brought up earlier in terms of hypothetically on one of those other lots if you have a basement it would fall below that base flood elevation. Although, I think I hear from Tim perhaps that the base flood elevation might be different on one

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of these other lots then the 3,418 elevation line, but still, I guess, could that be sorted out and determined by staff at the point in time that someone comes in for building permit?

Tim Worley – Commissioners, we probably could add a line that gives the floodplain administrator discretion to waive the requirement if somebody has a slab on grade sort of design right off of Mullan Road. I would tend to stay away from saying that we can regulate anything on lots 1, 2, and 3 because it's outside that area where 3,418 actually intersects the ground surface. I realize you could have a massive basement on lot 1 and capture ground water, but the floodplain regs actually speak to those areas where the base flood elevation intersects the land surface. So, we could add some language at the end of Condition #13 that would say something to the effect that the floodplain administrator may waive this requirement.

Commissioner Curtiss – If they're not in that elevation?

Tim Worley – Right.

Commissioner Rowley – Yeah, if they choose a building site above that elevation. Okay, I move to do that [To amend Condition #13 to allow the floodplain administrator to waive the requirement if a design and building site is proposed above the base flood elevation].

Commissioner Curtiss – So, we would add that to the Condition #13. So, after that paragraph that's kind of indented there, just to say, floodplain administrator may waive this requirement.

Tim Worley – Right.

Commissioner Curtiss – Okay. Is there a second?

Commissioner Strohmaier – Second.
Passed 3-0.

Commissioner Strohmaier – So, could we go back to the shared approach? Are we ready to deal with that?

Commissioner Curtiss – Sure.

Commissioner Strohmaier made the motion that the amended language for Condition #1 [The two shared approaches to access lots 2 and 3 and 4 and 5 shall be permitted prior to building permit approval. One-half of each shared approach may be permitted to be built for each lot. The requirement shall be included in the covenants and on the face of the plat, subject to CAPS review and approval prior to final plat approval.] and strike Condition #9. Commissioner Rowley seconds.

Commissioner Curtiss – Okay, so the condition as written on the screen and we can strike number nine.

Passed 3-0.

Commissioner Strohmaier – Okay, I do have a few questions on a totally different issue.

Commissioner Curtiss – Can we do the findings of fact that relate to that at the same time? So go back to page five.

Commissioner Rowley – I think Tim said that was unnecessary.

Commissioner Curtiss – Well, I think we should take out six, seven, and eight and amend 11.

Commissioner Rowley – Lump it all together in 11?

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Tim Worley – It's really at your discretion as to whether you want to innumerate findings that spell out your intent. I think there is enough on the record here today that we could capture what you said, to back up these conditions. Does that make sense?

Commissioner Curtiss – Yeah, it's just that we have sat through MACo [Montana Association of Counties] conferences about why we need to say stuff. So I think we could strike six, seven, and eight and have you amend 11 to reflect what we talked about today. Would that work?

Commissioner Rowley made the motion that as well as any other findings that the staff run into as they go through this that may be in conflict with what we have discussed today. But specifically to delete six, seven, eight, and alter 11. Commissioner Strohmaier seconds.
Passed 3-0.

Commissioner Curtiss – All right, now you had another point.

Commissioner Strohmaier – On the ag issue, so just a few questions of clarification there. So, in the applicant's minor subdivision application it references that the, I guess what you would consider the enhanced no build zone, is at least one reason it is being proposed is to minimize any adverse impacts to the prime farmland area. Now, I wasn't exactly sure what was being referenced there because there are two soil types, both of which are identified as prime if irrigated. Any clarification, Casey, on that?

Casey Drayton – The proposed enhanced no build zone 60 feet along the rear of lots 3-5 is a mitigation practice to preserve the open space from structures and development. Granted it doesn't capture the total area of prime farmland if irrigated, as that is the entire site, currently. So it's a method to preserve, like I said, sort of the open space nature of it, to preserve the soils. However, as it's not a functioning agricultural enterprise currently, you know, it won't be serving as such in the future. You know, it could provide a nice open area for the homeowners there. However, that doesn't meet the definition of agriculture, but it could function as such in the future.

Commissioner Strohmaier – Yeah so and I guess just to extend that, and this is coming off of our Spurgin Ranch discussion from a few weeks ago, it strikes me, and maybe feel free to elaborate on this, that one of the major differences here appears to be the availability of water for agriculture. I would not want any action here today if we retain the enhanced no build zone in those particular lots as precedent setting that somehow that is mitigation. Just because of what you said, that gardening, I guess, does not rise to the level of qualifying as agriculture. It might be a good thing to preserve that option for those homeowners, but in no way shape or form would I want this to set a precedent that this would be adequate mitigation in all cases. So I guess the question is, just very simply, is the lack of water for agricultural purposes, I guess the main issue at stake as far as mitigation goes?

Commissioner Curtiss – You mean, as to whether it is required?

Commissioner Strohmaier – Yeah, absolutely.

Casey Drayton – Well, the lack of water here, I guess to kind of look at your question, I am a little confused in exactly what we are getting to here. But in the reasoning why we haven't recommended additional mitigation, is that what you are...?

Commissioner Strohmaier – Well, I guess I do not see the no build zone as being really mitigation. I mean, let's go back to Spurgin Ranch just for a second. So there we had obviously, the size of the property was double the size of what we are dealing with here. Prime, if irrigated, agricultural soils. What eventually was adopted included a completely separate agricultural lot as opposed to no build zones attached to each individual parcel. That clearly was a case where there were water rights associated with the parent tract.

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Commissioner Curtiss – And it was used for agriculture.

Commissioner Strohmaier – So, I guess the question is, to the extent that there is a lack of ag water facilities here or water rights, is that a reason why it was not deemed by staff and additional condition of approval related to ag mitigation and what would be required?

Casey Drayton – Yeah that was part of the reasoning and that was also in combination with the lack of community response. I know certainly Spurgin Ranch had a fair share of community members who spoke to the agricultural piece. Functioning agriculture was considered and that currently lacks from this site. Those were kind of the main issues and then looking little bit deeper into that, you know, looking towards compliance with the growth policy, the access to Mullan Road, it just appeared that this was set up in a good position for development where the need has sort of been identified for this type of residential development. It is consistent with other residential development along that Mullan corridor. You know, where you find these sort of bigger ag tracts for the most part are, you know, maybe back towards the river, somewhere it's not so close in. This is moving closer back into the center of that activity circle. Once you pushed outside of that things change. You see that functioning agriculture piece just to the northwest outside of the activity center. So, taking into account, sort of all of those conditions; it appeared that it was suited fairly well for residential development, not for any sort of current agriculture use or it sounds like historical agricultural use. Therefore, there weren't additional conditions or in ag lots, similar to what you saw with Spurgin proposed.

Commissioner Strohmaier – Okay, thank you.

Commissioner Rowley – Just for another historical reference the commission did decide that subdivision regulations were not our preferred mechanism for mitigating the loss of ag when we passed our subdivision regulations. And kudos, since Spurgin Ranch, we have had two more conservation easements that conserved over 700 acres of ag land. And so, I want to remind people that there are other mechanisms that the county actively participates in and pursues to conserve large tracts of ag land and I think that that makes it okay in cases like this to lose a few acres.

Commissioner Curtiss – Okay, is there any more public comment? All right then, I will close the hearing to public comment and we have done our amendments, I think we just need a final motion to accept it as amended, the whole subdivision proposal.

Commissioner Strohmaier made the motion that the Board of County Commissioners approve the subdivision as amended, per the amended conditions of approval today and based on the soon to be modified findings of fact. Commissioner Rowley seconds.

Commissioner Strohmaier – Can I just speak to that ever so briefly? Thanks for everyone sticking with this. I think what ultimately is before us to adopt here is an improved version of what originally came before us. I think we have tried hard to hear the concerns of the property owner and applicant's representative and also in the process look out for public safety and health. It should be no surprise that I'm a strong supporter of at any point we can, doing what we can, to protect our agricultural heritage and prime agricultural soils. I did visit the site the other day and based on topography, based on lack of agricultural water facilities I think this is a case where the proposed residential use seems to fit fine with the existing pattern of development out there and yeah, I think that's all I have to say.

Commissioner Curtiss – Okay, any other comments? All in favor:
Passed 3-0.

[Letter No. 2017-225: Dated July 10, 2017 mailed to Kathleen Holden.]

Thanks to all of you for your work on this.

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Commissioner Rowley – Thank you.

Commissioner Curtiss – All right, we have one more hearing today, the Miller Creek View phasing plan extension. So, this is a subdivision that has previously been approved, but we are making some modifications so it needs to come to the commission to a public hearing because of our subdivision regs. So I will open the hearing and ask, Christine, you are the planner, right, to do the staff report. And those amendments that we made if you can make sure that you email them to Sarah, thanks.

b. Miller Creek View Phasing Plan Extension

Christine Dascenzo, Planner, Community and Planning Services

We have a request from Lloyd Twite, represented by Gilbert Larson, who is in attendance today, to extend the phasing deadlines for Miller Creek View addition, which was approved in 1998 with six phases and is in the Miller Creek area. So the request is to extend the filing deadlines for Phase 8 from June 3, 2017 to June 3, 2018 and then Phase 9 from June 3, 2018 to June 3, 2020 and those are the orange and green phases highlighted on the screen. And the existing phasing plan, Phase 8, would be filed in 2017, not Phase 9 would be in 2018, Phase 10 in 2021, and Phase 11 in 2022. The request doesn't affect Phases 10 and 11 it just affects those Phases 8 and 9. For the review process, we followed the regulations in 5.7.15 of the subdivision regulations, which requires distribution to agencies for comment and commissioner action, as we are seeing today. The phasing plans for the subdivision were approved; subdivisions approved prior to May 8, 2017 can't be extended more than three years from the date of the request. So that request came in April 27, 2017 and based on this staff is recommending that Phase 9 only be extended out to April 27, 2020 rather than the June 3, 2020 request date. And then just sort of a point of, just a note, the review process passed during the 2017 legislative session does change reviews for subdivisions approved after May 8, but that does not affect this subdivision. So we will see that later on, I am sure. In the distribution to agencies for comment, we received no comments or concerns from City Development Services, the office of the County Attorney, Air Quality, City-County Health Department. We did hear from the Public Works department that the extension would bring the subdivision further beyond 20 years from the approval date and they noted that the filing of each phase should be coordinated with the annexation process. So, I'll just back up one second. This is part of a larger request that the applicant is taking through related to a plat adjustment for the Phase 8, but you will see that we have a July 13 date for that. It has to go to Planning Board before that so we just wanted to get the phasing plan process before we went through the more extensive process. But, the staff recommendation is that the request to extend the phasing plan deadline for Phase 8 to June 3, 2018 and Phase 9 to April 27, 2020 be approved based on the staff report and public testimony. And that is it for my staff report.

Commissioner Curtiss – Okay, this is a public hearing is there anyone who would like to comment? Gilbert, do you have anything you want to add?

Commissioner Rowley – Sorry you had to wait so long.

Gilbert Larson – Yeah, woke me up there. I don't have anything to add unless you have questions about why we are doing this or what we are doing. If you have questions, I am here to answer them, but we agree with the request as it has been presented.

Commissioner Curtiss – Thank you. Is there any public who would like to comment? Seeing none, I will close the hearing. Any questions or comments from the commission?

Commissioner Strohmaier made the motion that the request to extend the phasing plan deadline for Phase 8 to June 3, 2018 and Phase 9 to April 27, 2020 be approved based on the staff report and public testimony. Commissioner Rowley seconds.
Passed 3-0.

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[Letter 2017-224: Dated July 10, 2017 mailed to Gilbert Larson, Gilbert Larson Engineering and Surveying]

7. OTHER BUSINESS

Commissioner Curtiss – Is there any other business to come before the commission? Seeing none, we are in recess.

8. RECESS

Commissioner Curtiss called the meeting to recess at 3:47 p.m.

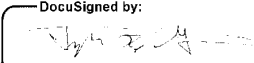
Friday, June 09, 2017

BCC met in regular session; all three present.

Calendar

9:30 a.m. - 10:30 a.m.	NR - Hermina Jean Harold
10:00 a.m. - 3:00 p.m.	BCC - Spring District Meeting
11:00 a.m. - 12:00 p.m.	NR - Midtown Mojo
12:00 p.m. - 1:30 p.m.	NR - Partnership Health Center

Journal Approval

DocuSigned by:

604CE6776D68A05

Tyler Gernant
Clerk & Recorder

DocuSigned by:

C78299876BC14E6

Jean Curtiss, Chair
BCC

Monday, June 12, 2017

BCC met in regular session; all three present.

Calendar

8:00 a.m. - 2:30 p.m.	JC - Substance Abuse Prevention Mill Levy Application Review Team
8:30 a.m. - 11:30 a.m.	NR, DS - Drew Creek Visit
11:30 a.m. - 1:00 p.m.	BCC - City Club
1:30 p.m. - 2:00 p.m.	BCC - Budget Review - Human Resources
2:00 p.m. - 2:30 p.m.	BCC - Budget Review-County Commissioners and Communications and Projects
3:00 p.m. - 3:30 p.m.	CR - Jill Dunn
7:00 p.m. - 9:00 p.m.	JC - Bonner Milltown Community Council

Tuesday, June 13, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	BCC - Chief Administrative Officer Update
10:02 a.m. - 11:15 a.m.	BCC - Commissioners' Administrative Public Meeting
11:15 a.m. - 11:45 a.m.	BCC - Interview Missoula Aging Services Advisory Board-James McKay

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12:45 p.m. - 1:00 p.m.	DS - Climate Change
1:15 p.m. - 2:00 p.m.	BCC - Budget Review - Emergency Services/911
2:15 p.m. - 3:00 p.m.	BCC - Budget Review-County Attorney
3:00 p.m. - 5:00 p.m.	NR - Cynthia Wolken
3:30 p.m. - 4:30 p.m.	DS - Larchmont Board
7:00 p.m. - 9:00 p.m.	DS - Lolo Community Council

Items for Signature

County Payroll Transmittal Sheet – BCC signed. Pay period: 12/CY2017 – Pay Date June.9, 2017. Total payroll \$1,742,368.26. To Barbara Berens, Auditor's Office.

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 13, 2017 Start 10:02 a.m. - End 11:15 a.m.**

ATTENDANCE: Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Annie Cathey, Greg Robertson, Katie Kietz, John Hart, Barbara Berens, Dori Brownlow

Other Attendees: Lisa Moisey, Nicole Rush, Sarah Bell, Robin Moore, Sindie Kennedy

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board sign the Subdivision Improvement Agreement and Guarantee for the Stillwaters on the Clark Fork No. 2, Phases III and IV guaranteeing construction of all subdivision improvements on or before April 17, 2018.

Presenter: John Hart
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term end date: July 18, 2018
 Original to John Hart, County Attorney's Office.

2. Request board consider award of professional engineering services associated with the Buena Vista Trailer Park sewer project.

Presenter: Greg Robertson
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Contract to be negotiated by Greg Robertson after approval of award.
 Original to Greg Robertson, Public Works.

3. Request board approve chair to sign construction agreement and pedestrian/bike facilities maintenance agreement with Montana Department of Transportation (MDT) for the Huson East Project.

Presenter: Lisa Moisey
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written

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Vote: Yes 3, No 0, Abstained 0

Additional Info: Outlines responsibilities of each party. No financial impact.
Original to Lisa Moisey, Community and Planning Services (CAPS).

4. Request board approve interlocal agreement between Missoula County and City of Missoula for maintenance and management of Fort Missoula Regional Park from Jan. 1, 2017 to Dec. 31, 2017 for \$96,736 split between FY17 and FY18.

Presenter: Lisa Moisey
Chris Lounsbury
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info: Term: Jan. 1, 2017 through Dec. 31, 2017
Original to Lisa Moisey, CAPS.

5. Request board approve contracts for the Big Sky Economic Development Trust Fund job creation grant award to Missoula County for HB Enterprises, Inc. on Mar. 9, 2017 in the amount of \$75,000. The contracts establish the relationships between Missoula County, MEP and HB Enterprises, Inc.

Presenter: Nicole Rush
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info: Term: Mar. 9, 2017 through Mar. 9, 2018

Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, Bitterroot Economic Development District (BREDD).

6. Request board approve budget amendment for HB Enterprises' Big Sky Economic Development Trust Fund job creation grant in the amount of \$75,000 that was awarded to Missoula County on Mar. 9, 2017.

Presenter: Nicole Rush
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info: No financial impact. Pass through of funds only.

Resolution 2017-194. Filed with Clerk and Recorder/Treasurer's Office. Original to Teresa Graham, Financial Services, and copy to Nicole Rush, BREDD.

7. Request board approve contracts for the Big Sky Economic Development Trust Fund job creation grant awarded to Missoula County for VIM & VIGR, LLC on Mar. 9, 2017 in the amount of \$37,500. The contracts establish the relationships between Missoula County, MEP and VIM & VIGR, LLC.

Presenter: Nicole Rush
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

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Additional Info: Term; Mar. 9, 2017 through Mar. 9, 2018

Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, BREDD.

8. Request board approve budget amendment for VIM & VIGR, LLC's Big Sky Economic Development Trust Fund job creation grant in the amount of \$37,500 that was awarded to Missoula County on Mar. 9, 2017.**Presenter:** Nicole Rush**Moved:** Nicole Rowley**Second:** David Strohmaier**Motion:** Motion passed as written**Vote:** Yes 3, No 0, Abstained 0**Additional Info:** No financial impact. Pass through of funds only.

Resolution 2017-193. Filed with Clerk and Recorder/Treasurer's Office. Original to Teresa Graham, Financial Services, and copy to Nicole Rush, BREDD.

9. Request board approve chair to sign AIA B101 agreement between Missoula County, Missoula Public Library as Owner and A&E Architects, P.C. as Architect for the design and construction of the Missoula Public Library. Compensation for the project is \$2,720,090.**Presenter:** Dori Brownlow**Moved:** David Strohmaier**Second:** Nicole Rowley**Motion:** Motion passed as written**Vote:** Yes 3, No 0, Abstained 0**Additional Info:**

Filed with Clerk and Recorder/Treasurer's Office. Original to Dori Brownlow, Commissioners' office.

10. Request board appoint new member to the Missoula Rural Fire District Board of Trustees.**Presenter:** Sarah Bell**Moved:** Nicole Rowley**Second:** David Strohmaier**Motion:** Motion passed as written**Vote:** Yes 3, No 0, Abstained 0**Additional Info:** Term: June 13, 2017 through May 31, 2018

Original to Sarah Bell, Commissioners' office. Letter of appointment mailed by Commissioners' office. Letter No. 2017-200 to Ben Murphy.

III. CORRESPONDENCE

1. Request the board sign letter to the Ninemile Ranger District commenting on the Martina road access special use permit. Letter No. 2017-198 – BCC signed. Dated June 13, 2017 to Robin Jermyn, Ninemile Ranger District.
2. Request board sign a letter of support for the submission from the Missoula Urban Transportation District to upgrade its new vehicles to all-electric, zero-emission technology through a grant from the Low or No Emission Bus Cooperative Grant Program. Letter No. 2017-183 – BCC signed. Dated June 23, 2017 to The Honorable Elaine Chao, Secretary, United States Department of Transportation.
3. Request board sign a letter of support to the Natural Resource Damage Program regarding funds to be obtained soon to pursue its natural resource restoration work at the former Smurfit-Stone and the Columbia Falls sites. Letter No. 2017-186 – BCC signed. Dated June 13, 2017 to Harley Harris, Supervising Attorney, Montana Natural Resource Damage Program.

IV. DISCUSSION ITEMS

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1. Upcoming board meetings and review of meetings.

V. UPCOMING EVENTS AND INVITATIONS

1. Montana iLEAD's new Breakthrough Leadership Program – Sept. 17 - 22 - UM.
2. Empty Bowls: It Takes a Village - Wednesday, June 28, 2017 - 5:30 - 8:00 p.m. at Ten Spoon Vineyard + Winery.

VI. OTHER COMMENTS/INSTRUCTIONS None

Wednesday, June 14, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	BCC - Clerk & Recorder/Treasurer
10:02 a.m. - 10:58 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 11:45 a.m.	BCC - Budget Review - Justice Court I and II
12:00 p.m. - 1:30 p.m.	JC - Missoula Economic Partnership Luncheon
1:00 p.m. - 1:30 p.m.	BCC - Interview Parks and Trails Advisory Board - Martha Yates
3:00 p.m. - 4:00 p.m.	BCC - Budget Review – Facilities

Items for Signature

Tax Abatement Request – At meeting with Tyler Gernant, Clerk and Recorder on June 14, 2017, BCC approved or denied the following requests and letters were mailed dated June 14, 2017.

- Approving request from Lionel Mausberg, Missoula, Montana, for a refund of penalty and interest regarding taxpayer ID No. 5858945.
- Denying request from Janet Wise, Missoula, Montana, for a refund of penalty and interest regarding taxpayer ID 4210185.
- Denying request from Lithia Chrysler Jeep Dodge of Missoula, Tyan Tuttle, Missoula Montana for a refund of registration fees. Request was not received within the 30 days pursuant to Missoula County Policy.

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 14, 2017 Start 10:02 a.m. - End 10:58 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Andrew Czorny, Chris Lounsbury, Anne Hughes, Patty Baumgart, Dori Brownlow, Annie Cathey, Katie Kliezt, Ellen Leahy, Erica Grinde

Other Attendees: Tom Aldrich, Nicole Rush, Lisa Moisey, Karen Hughes, Robin Moore, Trisha Shepard

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board approve chair to sign contract with Hi-Tech Audio & Lighting for sound, lights, and stage operation at the 2017-2019 Western Montana Fairs in the amount of \$14,250 per year.

Presenter: Tom Aldrich
Moved: David Strohmaier
Second: Nicole Rowley

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Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: Aug. 8, 2017 through Aug. 15, 2019
Filed with Clerk and Recorder/Treasurer's Office. Original to Tom Aldrich, Fairgrounds Management.

2. Request board approve contract with Sankey Pro Rodeo Company for stock contractor services at the 2018-2021 Western Montana Fair Stampede Rodeos in the amount of \$74,000 per year.

Presenter: Tom Aldrich
Moved: Nicole Rowley
Second: Jean Curtiss
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: \$50,000 in prize money for 2018 - 2021 Western Montana Fairs
Filed with Clerk and Recorder/Treasurer's Office. Original to Tom Aldrich, Fairgrounds Management.

3. Request board approve contract with North Star Amusements for carnival operations at the 2018-2020 Western Montana Fairs in amount of approximately \$120,000 net revenue to the Fair from approximately \$365,000 in gross sales.

Presenter: Tom Aldrich
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: Aug. 7, 2018 through Aug. 9, 2020
Filed with Clerk and Recorder/Treasurer's Office. Original to Tom Aldrich, Fairgrounds Management.

4. Request board approve to authorize fairgrounds staff to sign a contract as amended with Southgate Mall to rent the Fairgrounds on Tuesday July 4, 2017 and allow a professional fireworks display for the Missoula community on the Fairgrounds.

Presenter: Emily Bentley
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written with exception of contract as amended.
Vote: Yes 3, No 0, Abstained 0
Additional Info: Lease fee: \$1,200. Term: July 3-5, 2017.
Original to Emily Bentley, Fairgrounds Management.

5. Request board authorize FY2018 pay increase for appointed Chief Deputies.

Presenter: Patty Baumgart
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info:
Original to Patricia Baumgart, Human Resources.

6. Request board approve chair to sign close out certification form for Harris Manufacturing's Big Sky Trust Fund job creation grant awarded to Missoula County on 2/18/2015.

Presenter: Nicole Rush
Moved: Nicole Rowley

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Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, Bitterroot Economic Development District.

7. Request board approve and sign two-year contract renewal between Missoula City-County Health Dept. and Open Aid Alliance. Remaining grant funds afford a renewal of this two-year agreement for FY 2018 and 2019 in the amount of \$6,000 per year, totaling \$12,000.

Presenter: Ellen Leahy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info: Term: July 1, 2017 through May 31, 2019
Original to Ellen Leahy, Missoula City-County Health Department (MCCHD).

8. Request board approve contract with University of Montana to provide qualitative feedback consultation to Missoula City-County Health Department. Contract term is April 14, 2017 to April 15, 2018 for a total of \$4,500 including operations and materials.

Presenter: Ellen Leahy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion approved as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Original to Ellen Leahy, MCCHD.

9. Request board approve amended employment agreement with Bernadette Roy to compensate her at a salary of \$130,000 during the time which she has been serving as Interim Director at Partnership Health Center and to extend the term of her current contract to end July 31, 2017.

Presenter: Ellen Leahy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info: Amending the amended contract and amending current contract with extension
Original to Ellen Leahy, MCCHD.

10. Request board approve chair to sign certificate of compliance for the Martina Creek Mine Reclamation Project final report.

Presenter: Lisa Moisey
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Original sent to Kali Becher, Community and Planning Services.

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III. CORRESPONDENCE

1. Approve and sign a solar statement for SolSmart application. Letter 2017-201 – BCC signed. Dated June 14, 2017. To International City/County Management Association.

IV. DISCUSSION ITEMS None**V. UPCOMING EVENTS AND INVITATIONS** None**VI. OTHER COMMENTS/INSTRUCTIONS** None

Thursday, June 15, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	BCC - Sheriff Update
10:00 a.m. - 10:13 a.m.	NR, JC - Commissioners' Administrative Public Meeting
10:00 a.m. - 11:00 a.m.	DS - Fairgrounds Workshop
11:00 a.m. - 12:00 p.m.	NR - Realtor-Chamber-Homebuilders
11:30 a.m. - 12:00 p.m.	BCC - Interview Missoula Aging Services - Gayle Hudgins
12:00 p.m. - 3:00 p.m.	DS - Parks and Trails Advisory Board -- Nine Mile
12:00 p.m. - 1:00 p.m.	NR - Pretrial: Break the Cycle with Cloud-Based Technologies
12:15 p.m. - 3:00 p.m.	JC - Health Boards
3:00 p.m. - 5:00 p.m.	BCC - Urban Growth Commission

Administrative Meeting

BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 15, 2017 Start 10:00 a.m. - End 10:13 a.m.

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, Vickie Zeier, Andrew Czorny, Chris Lounsbury, Annie Cathey, Katie Kietz, Matt Jennings

Other Attendees: Peter Nielsen, Peter Freisen

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None**II. ACTION ITEMS**

1. Request board approve contract and scope of work between Missoula Valley Water Quality District and Soil and Water Conservation Districts of Montana for purchase, through grant, of environmental education models.

Presenter: Peter Nielsen

Moved: Nicole Rowley

Second: Jean Curtiss

Motion: Motion approved as written

Vote: Yes 2, No 0, Abstained 0

Additional Info: Term: July 1, 2017 through April 30, 2018. Not to exceed \$1,847.
Original to Travis Ross, Missoula City-County Health Department.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS**

1. Discussion on the application of city ordinance on disorderly conduct in surrounding areas.

V. UPCOMING EVENTS AND INVITATIONS

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1. 2017 MAM Awards Celebration, June 27, 5:30 p.m. - 7:30 p.m.

VI. OTHER COMMENTS/INSTRUCTIONS None**Friday, June 16, 2017**

JC and DS met in regular session; quorum present. NR out of office all day.

Calendar

9:00 a.m. - 10:00 a.m. DS - Tim Garcia - Lolo National Forest -Fort Missoula
 9:30 a.m. - 2:00 p.m. JC - Mental Health and Child Development Center Boards

Journal Approval

DocuSigned by:

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Tyler Gernant
 Clerk & Recorder

DocuSigned by:

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Jean Curtiss, Chair
 BCC

Monday, June 19, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:30 a.m. BCC - Subdivision Review Process Update
 10:30 a.m. - 11:30 a.m. BCC - Community and Planning Services Update
 11:30 a.m. - 12:00 p.m. BCC - Interview Missoula Aging Services Advisory Board - Kristin Page-Nei
 1:00 p.m. - 4:00 p.m. BCC - Budget Review Public Works and Weed and Extension

Community and Planning Services Update**Agenda:**

1. Public Comment
2. Communications
3. General Updates
 - a. 10:30 - Windemere Place Subdivision - Christine Dascenzo
 - b. 10:35 - Bonner Milltown Community Council Bylaw Revisions - Kate Washington
 - c. 10:40 - Anderson Family Transfer - Casey Drayton
 - d. 10:45 - Doubletree 310 - Todd Klietz
 - e. 10:50 - Trail Development Policies - John Stegmaier
 - f. 10:55 - Grant Creek Trail Co. Phase 2 Planning - John Stegmaier
 - g. 11:25 - Frenchtown Gravel Pit Application - Pat O'Herren
4. Director's Update Pat O'Herren

Tuesday, June 20, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m. BCC - District & Justice Courts Staff

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10:05 a.m. - 10:50 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 12:00 p.m.	BCC - County Attorneys
1:00 p.m. - 2:00 p.m.	NR - Jail Diversion Master Plan
1:00 p.m. - 1:45 p.m.	DS - Pat O'Herren Update
1:00 p.m. - 1:30 p.m.	JC - Phone Interview
2:00 p.m. - 3:00 p.m.	DS - Lonie Hutchison
2:00 p.m. - 3:00 p.m.	JC - Pat O'Herren - Potential Development Project
2:30 p.m. - 4:00 p.m.	NR - Coordinated Compliance
3:00 p.m. - 3:30 p.m.	BCC - Interview Missoula Aging Services Advisory Board - Debbie Popp
3:30 p.m. - 4:30 p.m.	BCC - Smurfit Site/M2 Green Update
6:00 p.m. - 8:00 p.m.	DS - Community Advisory Group for the Smurfit Stone Mill Site

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 20, 2017 Start 10:05 a.m. - End 10:50 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Andrew Czorny, Chris Lounsbury, Barbara Berens, Larry Farnes

Other Attendees: Peter Nielsen, Bryce Christiaens, Nicole Rush, Emily Bentley, Danielle Tribble from Senator Daines Office, Sarah Bell, Robin Moore

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None**II. ACTION ITEMS**

1. Request board approve and sign employment agreement with the Director of Fairgrounds Development, Emily Bentley, beginning July 1, 2017 and ending Jan. 1, 2020.

Presenter: Chris Lounsbury
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed; should be Fairgrounds Director Emily Bentley
Vote: Yes 3, No 0, Abstained 0
Additional Info: Pay: \$37.00 per hour.

Filed with Clerk and Recorder/Treasurer's Office. Original to Patricia Baumgart, Human Resources, and copy to Chris Lounsbury, Commissioners' Office.

2. Request board approve and chair to sign cooperative agreement between Missoula County Weed District and the Flathead National Forest in the amount of \$17,000 for Aquatic Invasive Species efforts in Missoula County.

Presenter: Bryce Christiaens
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through July 1, 2018

Filed with Clerk and Recorder/Treasurer's Office. Original to Bryce Christiaens, Weed Control.

3. Request board approve Engineering and Architectural Services Contract with Gavin-Hanks Architectural Studios for design of Household Hazardous Waste Collection Facility in the amount of \$33,301.

Presenter: Peter Nielsen
Moved: Nicole Rowley

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Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: June 19, 2017 to June 29, 2018
Original to Peter Neilsen, Missoula City-County Health Department.

4. Request board approve non-disclosure agreement for Project Spokane, LLC Big Sky Economic Development Trust Fund job creation application.

Presenter: Nicole Rush
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: Mar. 1, 2017 through Mar. 1, 2018
Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, Bitterroot Economic Development District (BREDD).

5. Request board approve and chair to sign to authorize Montana Department of Transportation (MDT) representatives to enter upon property owned by Missoula County at the intersection of Mullan Road and Moccasin Lane, in conjunction with MDT's project to widen Mullan Road.

Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info:
Original to Greg Robertson, Public Works.

6. Request board to sign professional services agreement with Metal Works of Montana and Missoula County, to install safety railings in three mezzanines and four safety railings on stairs at the Missoula County Detention Center, in the amount of \$106,905.

Presenter: Larry Farnes
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: June 26, 2017 through Sept. 29, 2017
Filed with Clerk and Recorder/Treasurer's Office. Original to Larry Farnes, Facilities Management.

III. CORRESPONDENCE None

IV. DISCUSSION ITEMS

1. Upcoming board meetings and review of meetings.

V. UPCOMING EVENTS AND INVITATIONS

1. Missoula Food Bank open house - Wednesday June 21st from 4-6 p.m.

VI. OTHER COMMENTS/INSTRUCTIONS None

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Vote: Yes 3, No 0, Abstained 0

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Additional Info:

Original to Sarah Bell, Commissioners' Office. Letters of appointment mailed by Commissioners' Office. Letter No. 2017-202 to Leslie Halligan. Letter No. 2017-203 to James McKay. Letter No. 2017-204 to Chris Flohr. Letter 2017-205 to Amanda Cahill. Letter No. 2017-206 to Gayle Hudgins. Letter No. 2017-207 to Kristin Page-Nei. Letters thanking applicants that were not selected mailed by Commissioners' Office. Letter No. 2017-208 to Debbie Popp. Letter No. 2017-209 to Jonathan Weisul, MD.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS** None**V. UPCOMING EVENTS AND INVITATIONS** None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Thursday, June 22, 2017**

BCC met in regular session; all three present.

Calendar

7:00 a.m. - 9:00 a.m.	BCC - Missoula Economic Partnership Investor Breakfast
10:06 a.m. - 11:04 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 11:30 a.m.	BCC - Budget Review-Clerk of District Court
11:45 a.m. - 12:15 p.m.	BCC - Budget Review-Relationship Violence Services
12:15 p.m. - 12:45 p.m.	JC - KPAX Interview
2:00 p.m. - 3:37 p.m.	BCC - Commissioners' Public Meeting
4:00 p.m. - 5:00 p.m.	JC - Let's Move! Missoula Steering Committee meeting

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 22, 2017 Start 10:06 a.m. - End 11:04 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Andrew Czorny, Chris Lounsbury, Barbara Berens, John Hart

Other Attendees: Cindy Farr, Dave Bell, Shannon Therriault, Jeff Darrah, Sarah Bell, Robin Moore

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None**II. ACTION ITEMS****1. Request board appoint members to the Parks and Trails Advisory Board.**

Presenter:	Sarah Bell
Moved:	David Strohmaier
Second:	Nicole Rowley
Motion:	Motion passed as written
Vote:	Yes 3, No 0, Abstained 0

Additional Info:

Original to Sarah Bell, Commissioners Office. Letters of appointment mailed by Commissioners' Office. Letter No. 2017-210 to Martha Yates. Letter No. 2017-211 to Chris Hale. Letter No. 2017-212 to Daniel Morgan. Letter thanking applicant that was not selected mailed by Commissioners' Office. Letter No. 2017-213 to Jenna Lyons.

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2. Request board approve and sign Fort Missoula Regional Park Phase 2 Main Extension - "Install and Convey" Water Main Extension Contract.

Presenter: Barbara Berens
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Original sent to Barbara Berens, Auditor Office.

3. Request board sign a resolution appointing David Wall as Auditor effective Aug. 14, 2017 to complete the term of the elected Auditor upon retirement.

Presenter: Chris Lounsbury
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: Aug. 14, 2017 through Dec. 31, 2018

Resolution 2017-196. Filed with Clerk and Recorder/Treasurer's Office. Original to Patricia Baumgart, Human Resources.

4. Request board approve and sign employment agreement for Jean Baumgardner, APRN, FNP-C, to be employed at Partnership Health Center-Missoula County for 40 hours per week with an annualized salary set at \$96,158, which is an hourly rate of \$46.23, for the term of July 1, 2017 to June 30, 2018.

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, Partnership Health Center (PHC).

5. Request board approve and sign the children's trust fund contract amendment to extend funding of \$25,000 for an additional fiscal year. This contract funding provides for respite care for parents through The Parenting Place as well as parenting education and outreach and child abuse and neglect prevention.

Presenter: Cindy Farr
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2018

Original to Cindy Farr, Missoula City-County Health Department.

6. Request board approve and sign employment agreement for Mary Jane Nealon, Director of Innovation, with Partnership Health Center for the term of July 1, 2017 to June 30, 2018 for 40 hours per work week at the hourly rate of \$50.25 for an annualized salary set at \$104,520.00, with the Employer also contributing \$3,000.00 for continuing education as well as Employer paying Montana Nursing License every 2 years.

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Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

7. Request board approve and sign employment agreement for Joseph Faircloth, Health Information Technology Director with Partnership Health Center for the term of July 1, 2017 to June 30, 2018 for 40 hours per work week at the hourly rate of \$46.50 for an annualized salary set at \$96,720.00.

Presenter: Bernadette Roy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/ Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

8. Request board approve and Chair to sign employment agreement for the Executive Director at Partnership Health Center, Laurie Francis, for the term of Aug. 7, 2017 to Aug. 6, 2019 for the hourly amount of \$69.71 per hour which is an annualized salary of \$145,000.00. Employee is also eligible for a onetime payment of \$4,500.00 within the first full year of employment for the intended purpose to defray moving costs.

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS**

1. Request board discuss potential changes to the Missoula County Animal Control Ordinance.

V. UPCOMING EVENTS AND INVITATIONS None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Public Meeting**

Meeting minutes linked to the audio recording of public meetings are available online on the Missoula County Commissioners' Meeting Minutes & Agenda portal. The portal may be found at the following web address: <https://www.missoulacounty.us/government/administration/commissioners-office/commissioners-meeting-agenda-portal>.

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**MISSOULA BOARD OF COUNTY COMMISSIONERS
PUBLIC MEETING MINUTES
CONFERENCE ROOM 151 – COURTHOUSE ANNEX
THURSDAY, JUNE 22, 2017 - 2:00 PM**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC ANNOUNCEMENTS**

Commissioner Strohmaier – Proclamation: Mark Vander Meer of Missoula as recipient of the 2017 Missoula County Land Stewardship Award.

Commissioner Curtiss – We are also going to go out on site in a couple of weeks to his property. So you can have the big fancy one. Would you like to say anything at this time, Mark, about any of your forestry practices or anything?

Mark Vander Meer – Inaudible from audience.

Commissioner Curtiss – July 6, right, up in Gold Creek. All right, well thanks we look forward to the tour.

4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

5. CURRENT CLAIMS LIST

Claims received as of June 5, 2017 to June 16, 2017 by the Commissioners' Office total \$3,903,685.83.

Commissioner Curtiss – We have several hearings today. The first one is the Anderson Family Transfer and I will open that hearing and have Casey give us the staff report.

6. HEARINGS

a. Anderson Family Transfer

Casey Drayton, Planner, Community and Planning Services – This is a request by C. Leroy and Joanne Anderson. The property we will be looking at here is approximately halfway between Missoula and Lolo, as shown on that map, to the left of the screen there. The property we are looking at is approximately 3.64 acres and was created in 1955 by deed exhibit 868. The certificate of survey [COS] we're looking at 4790 is a retracement survey that was done in 1998. The Anderson's received the property in 1996. You will see on COS 5848 here that the road alignment was altered slightly, which did bisect the property, leaving a small, approximately one acre portion of the property to the north of the road alignment, and the other 2.64 acres just to the south of the new road alignment. The family transfer exemption to the Montana Subdivision and Platting Act would allow for the transfer of one parcel to the property owner's daughter, Elaine Anderson-Wood. This would result in Tract 1-A, approximately 2.64 acres and Tract 1-B, approximately one acre depicted on the drawing shown on the screen. The property line would run somewhere down near the center of the road alignment. The property is unzoned and out of any designated floodplain. The proposal was sent to several agencies for comment, standard response was received. Public Works did note that an approach address and septic permit have been approved for a new dwelling on this property, although no building permits have been applied for at this time. With that said, we have several questions from the applicant and claimant. Are the Anderson's in the room? If you wouldn't mind stepping forward to the podium.

Can you please state your name for the record:

My name is C. Leroy Anderson.

Did you buy the property with the intent of dividing it?

No, we did not.

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Do you or your transferees intend to transfer the property within the next year?

No, certainly not.

Have you talked to anyone at the county about going through subdivision review?

No.

Will the property be developed?

Probably sometime in the future, but not in the near future.

Will the recipient of the property be residing on the property?

Yes, when they retire and that will be probably in another 15 years.

Casey Drayton – Okay, thank you. Those are all the questions we have at this time.

Commissioner Curtiss – Does the commission have any questions for Mr. and Mrs. Anderson? Okay. Is there any public comment on this request to do a family transfer?

All right, seeing no one come forward I will close the public hearing. Is there a motion?

Commissioner Rowley made the motion that the request by C. Leroy and Joanne Anderson to utilize the Family Transfer Exemption, MCA 76-3-207 (1)(b), to create and transfer one parcel to daughter Elaine Anderson-Wood be approved. Commissioner Strohmaier seconds.

Passed 3-0.

Commissioner Curtiss – Okay, you will get a letter from our office saying this has been approved. Thank you and we also are not insulted if you decide to leave. Thank you, Casey. Our next item today is the 2017 Missoula County Pre-Disaster Mitigation Plan, so I will open that hearing and have Adrienne Beck give us a staff report.

[Letter 2017-218: Dated June 26, 2017 mailed to C. Leroy and Joanne Anderson]

b. 2017 Missoula County Pre-Disaster Mitigation Plan

Adriane Beck, Director DES Coordinator, Office of Emergency Management –

We are requesting that the county adopt an update to the 2017 Pre-Disaster Mitigation Plan. Actually, this is an update to the 2011 plan. But to kind of give an overview of what the Pre-Disaster Mitigation Plan actually is, we will kind of go through that a little bit. The purpose of having a Pre-Disaster Mitigation Plan, or PDM, as it is typically referred to, is a way for a local jurisdiction to assess their hazards and how those hazards are impactful to that community based on a number of factors. One critical facilities, vulnerable populations and/or major transportation corridors, those kinds of things. But also how they are affected by mitigation strategies or activities that have taken place in the past. The other big reasons to have a PDM plan is that it is a federal requirement in order to be eligible to receive federal funds. What this amounts to is a way for us to be able to prioritize our hazards and by prioritizing our hazards that allows us to prioritize our effort as far as where we are going to spend time and resources, limited as they may be, to prevent and protect our population from the hazards that we face. In the beginning of 2016, we applied for federal grants to update our PDM plan and in September of that year we started the public process with a public meeting and formed a planning committee. In that process we then went through and validated the 2011 plan as well as kind of looked at the hazards that we face today in Missoula County, as well as what we thought were maybe the priorities that we should focus on. So one of the things I want to highlight is what changed from 2011 to 2017. So when we look at the 2011 plan, it was largely based on wildfires, floods, and earthquakes. And while we still face those hazards, the planning team felt that there were some areas that we needed to focus more on. So, wildfire, if you look at how it ranks from the previous year to this year, is about the same. HAZMAT [Hazardous materials and items] is ranked number two and it was not ranked at all in the previous plan. Flooding still remains pretty high in the ranking, though it dropped below HAZMAT, so now it is ranked third as opposed to second in the previous plan. Severe weather and drought. Communicable disease is a new ranking this year and that working with the Health Department folks, and certainly some of the areas that we've seen communicable disease pop up in the last several years, we felt that it was important to incorporate that into the plan. Avalanche was not ranked in the previous plan. This year in the proposed update following the fatal avalanche on Mount Jumbo, while we've always had an avalanche risk in the back country, the urban avalanche risk we felt was

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something that needed to be addressed. Earthquake, previously was ranked fourth, now ranked seventh. Dam failure, these are high-hazard dams, previously ranked fifth, now ranked eighth and we decided to kind of cut it off at eight, as far as the hazards that we are going to profile. So, volcano, while we still live in an area of the country that is susceptible to impacts from volcanos, we felt that it was something that we wouldn't necessarily profile in the detail that had been profiled in the past. Other things that changed from this update are kind of a reorganization of the plan. So, in the past, we laid out the hazards and the description of each hazard, the history of each hazard and kind of the potential impact that it would have, kind of based in just alphabetical order. So, we felt that it was a much more appropriate way to line it out, as far as, as you are reading through the plan, we start with the most hazardous topic and then gradually go down from there. The other big component of the 2017 update is this notion of climate change. And so while we did not profile climate change individually, what we did do is we took a look at how climate change impacts each one of those natural hazards that we identify. So, wildland fire, for example. Logically you could infer that as the climate continues to change, and if it continues to change on the path that we have seen, our wildland season will become longer, we may be more susceptible to drought and it will have an impact on how those fires burn and the impacts that they will have. Additionally, from 2011 to 2017 our capabilities to GIS [Geographic Information System] create kind of visual layers for the public to interface with and to see items on a map is enhanced quite a bit. So the update to our maps, as well as the identification of critical infrastructure. Why we do these every five years is really to identify the fact that our environment changes every five years. The hazards that we face based on the fact that we live in western Montana don't necessarily change too much, but as a community we change what we prioritize. We change what we focus on and the population changes. Our critical infrastructure changes and should we have been so fortunate to have implemented some mitigation strategies in the past, we need to assess how those mitigation strategies may impact the hazards. Hopefully, if we have done everything correctly, we've reduced our risk.

So, a couple things I wanted to point out is that we don't just pick a hazard out of a hat, out of a menu of options, and there are several of them that you can choose from, as far as when you go down and you look at the list of hazards that FEMA [Federal Emergency Management Agency] identifies. But this ranking is based on the probability that it will occur. Based on our geographic location, the severity that if it does occur, how severe will it be, the warning time that we typically have to when that impact will occur, and the duration as far as how long that hazard will last. And so, as you think about those kind of factors, when you look at how the hazards are ranked out, we hope, as a planning committee, that that makes sense to you. When we talk about our past history that tends to be the best reflection of what we expect in the future, but also using the most current scientific data to help us predict what we are likely to face and what those impacts may be. There are certainly things that we wanted this, the planning team wanted this, to be a reflection of what we felt the hazards were. What we felt we had the capacity to actually take proactive action against. So there are some things in there that when you measure them on the scale of probability, severity, warning time, and duration may rank higher or may rank differently than how we have them lined out here. But one of the tasks that the planning committee had was to go through and kind of ground truth what the rubric comes out to be. Some areas that ranked pretty high that we chose to disregard are items such as a mass causality incident from transportation. Certainly has the probability to happen, certainly would have a big impact if it did, and in many cases, we've seen them here, in our jurisdiction, where they've even resulted in loss of life. But when we look at how we actually implement mitigation strategies, for those types of incidents, the planning committee takes those kind of considerations and says, 'You know we really can't profile mass casualty incidents because they tend to be pretty specific.' And so that's just an example of kind of how that ranking and profiling came about. In order to be in good standing with FEMA we have to go through a formal adoption process. The City of Missoula City Council went through the adoption through resolution last week and so our ask of you today is to adopt the 2017 update by way of resolution. If there is any questions.

Commissioner Curtiss – So I am guessing one of the reasons HAZMAT bumps up is because we have two, we have a railroad and two major highways that go through here so there's opportunity to spill something.

Adriane Beck – Yes, absolutely. So, that's a short hand title there, but it's HAZMAT spills by way of transportation and/or fixed facilities. Here in our jurisdiction we have several fixed facilities that hold a lot of hazardous materials.

Commissioner Curtiss – So the earthquake ranking, since we are having what do they call it? A swarm of earthquakes around Yellowstone Park, do you think maybe we need to move it?

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Adriane Beck – So, that is a very good point. Just because we have ranked it low does not mean that we wouldn't have a massive earthquake tomorrow. When we look at the seismological data for our particular area and we look at the history of the earthquakes that are on recorded history for our geographic area it is relatively low, even though we are in this kind of seismic epicenter in our proximity to West Yellowstone. I look at it more from this way as far as, we are not saying the earthquake is not important because it is still in our top eight, and the top eight hazards are profiled in-detail in the plan. But I look at it from the standpoint of if we won the FEMA lottery, so to speak, and we are given ten million dollars to spend on a project, I would use this list to help prioritize where we should spend that money. Based on what we are most vulnerable to. And so while a \$10 million project to retrofit government infrastructure to withstand a seven-point magnitude earthquake it's certainly a good project, I think that this plan helps us justify that there are better projects and a better use of that funds.

Commissioner Curtiss – Thanks, any other questions?

Commissioner Strohmaier – So, in other words, the key here is that these are things that are not only potential disasters, but are potential disasters that we can do some mitigation up front for. Which is not to say that the mass casualty transportation incident, that you described, might at some point occur and it's not to say that we don't have any plans for how we would deal with that incident. It's just that when it lines up against everything else in terms of allocating resources for mitigating in advance that's maybe so unlikely that...

Adriane Beck – Yeah, I think that that's a very good way to put it and that when you look at the tie to why these plans are required by FEMA it is the money that is allocated to states following a presidential disaster declaration must be used specifically to prevent the next disaster in so many ways. And so, I won't say the term, shovel ready. I will use the term shelf ready. Right, so we have these concepts of ideas that could be used to help mitigate or protect against some of these hazards that we face. And that is the other huge component of the plan that I didn't really touch on is that the mitigation strategies that are lined out in here are not necessarily a play-by-play we are going to do this on Oct. 1. It's if time, resources, and situation allows these are some kind of some pre-validated projects that we know would help us in making our community more resilient.

Commissioner Strohmaier – So, even though we are just adopting this today it's never too early to start thinking about the next update. So this one was covered by grant monies?

Adriane Beck – Yes.

Commissioner Strohmaier – Has that always been the case and can we anticipate that going forward or at some point over the next five years do you we need start setting money aside for the next update?

Adriane Beck – In all seriousness, if you could figure out what federal funds will be available in the next five years you'd probably have a good career. But historically there have been grants available to local jurisdictions to maintain these plans. Looking forward, that money has been slowly diminishing and so a typical update will cost anywhere from \$12,000 to 18,000 and over the course of the next five years. We'll continue to kind of keep a pulse on where that money is going and, if needed, we'll begin to build that into a budget.

Commissioner Curtiss – Okay. So, we have a resolution to adopt the proposed Pre-Disaster Mitigation Plan the 2017 update to the plan that was done in 2011. We can sign it today. Is there any public comment on this Pre-Disaster Mitigation Plan? All right, I will close the hearing.

Commissioner Strohmaier made the motion that the Board of County Commissioners approve the resolution to adopt the 2017 Missoula County Pre-Disaster Mitigation Plan. Commissioner Rowley seconds.

Passed 3-0.

[Resolution 2017-195: Approval to update the 2017 Missoula County Pre-Disaster Mitigation Plan]

Commissioner Curtiss – All right, our next item is regarding the 310 Riparian Management Plan for the Doubletree Hotel and Todd Kliez will give us the staff update.

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c. Doubletree 310 Riparian Management Plan

Todd Klietz, Floodplain Administrator, Community and Planning Services – What you have before you today is a 310 permit application. You don't see these all that often. That's mainly because the county commissioners' only jurisdiction within the city limits of 1946. Outside the city limits of 1946, the Conservation District does the rest of the 310 permitting throughout Missoula County. So I think your last one was in 2013. So we don't see these all that often. The Doubletree Hotel is located within the 1946 city limits, right there at Higgins Avenue. How this was first brought to our attention was through a violation complaint by Fish, Wildlife and Parks who noted that the Doubletree had removed some of the riparian vegetation between the river and the hotel. Before we go further, I want to make sure that commissioners are aware that these were prior owners of the Doubletree Hotel. The current owners have been very helpful in working with us and it's a great resource that we have with the new owners. So on these photos you can see, on the left hand side, the before picture with some riparian vegetation in front and a little bit of a screwed up photo of the after picture, let's see if this next one works a little bit better. There is a different view, of that same location, with riparian vegetation on the left and no riparian vegetation on the right. And again, with this last photo, looking at the bar/restaurant area, a little bit of riparian vegetation on the lower right hand side in the before and then in the after. So under the county commissioners 310 rules, this is specifically a violation of a couple different places. 310(B) indicates that in Missoula County, the natural rivers and streams, and the lands, and property immediately adjacent to them are to be protected or preserved in their natural or existing state. The other rule is 14(e), that streambank vegetation must be protected except where removal is necessary and then removal must be kept to a minimum. This is a typical 310 permit application that you would see. And then when you are deciding on whether or not to grant a permit or an approval, these are the construction standards that apply, and again I want to point you down to bullet five, which is that the streambank vegetation must be protected. So when you are actually making your decision on this, the board needs to determine these positive six different bullets: Soil erosion and sedimentation; effects of streamflow, turbidity and water quality; and at the bottom the effect of fish and aquatic habitat. That's really what brings us here today, that this was brought to us by Fish, Wildlife and Parks regarding their concerns for aquatic habitat. When a permit is issued, a permit is valid for one year, before they can do the work, although, an extension can be granted. Or, and what the applicant has done in this case that they may apply for an annual maintenance plan and the maintenance plan can be authorized up to ten years. So the applicants submit an application to the BCC [Board of County Commissioners] and Community and Planning Services. We act as their agent for that. This is an after the fact permit application because the vegetation had already been removed. But typically what we do is we form a team, and the team in this case consisted of Fish, Wildlife and Parks themselves and the Water Quality District who participated in the review of the application. The Fish, Wildlife and Parks did not wish to have an onsite inspection of it, they were already familiar with that. The Water Quality District did go out and take a look at the site. This is on the extreme east end of the property and the sheds are facing Rattlesnake Creek. Water Quality noted that there was some construction debris and some old refrigerators that were at the top of the bank, as well as a 55-gallon drum of, I think, that was anti-freeze. Although, the drum was empty that was stored right at the front of the bank. Doubletree was notified and they did go ahead and correct those issues. I would like to ask Eric Anderson from WGM to come up and present the application that they submitted specifically regarding to the plan.

Eric Anderson, Engineer, WGM Group – We have been assisting the Doubletree through the 310 permitting process. We got involved last fall, about when the ownership changed hands, sort of late fall and early winter period. I guess I would start, before I get into the plan, emphasize that the new owners, it did just change hands, they are really excited about the property. They are really interested in being good river stewards and just general good stewards of that particular property. They are interested in community building. They realize that that property is an asset not only to their hotel clients, but to the public as well. That gravel bar down there receives really heavy recreation use. It is probably the only gravel bar of size in the downtown corridor you see, I don't know if anybody's been down there in the summer, but you can see literally 100 people hanging out on that gravel bar on a hot day. They see this as a real opportunity to improve that property and be a good steward toward it. They realize it's a unique area and they realize that they need to form partnerships and work with each other to be a good land steward. It's really a balancing act because this is a pretty unique piece of property downtown, to have that much I guess recreation area within the stream zone.

So, the hotel is concerned going into this, developing this vegetation management plan. You know, the hotel was built in 1974 I believe, 72 or 74, it's been there quite a while. It's right on the river and the streambank, right below the hotel, has received a stabilization project mostly with rock to protect the hotel from high flood flows. So they also have some of their facilities kind of right on the bank and even almost in the streambed. Their sewer goes out

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that direction and hooks up with the trunk line that goes down the downstream direction, their grease trap is down there so they often have to get down there and pump that out. George, I think once or twice a year, I think you are down there to?

From audience – Three times.

Eric Anderson – Three times a year with a pumper truck just to vac that thing out. And they're constantly having to do regular maintenance along that, what we are calling in our plan Zone 1, which is the green area right below the hotel. So it is a pretty active zone for them, you know it's basically their front yard, so they are having to provide upkeep for that on a regular basis. Zone 1 is of large concern to them to have good access and flexibility for maintenance in that area. Zone 2 is what we are calling the blue area down there, below in the streambed. And then there is a Zone 3 over there, on the eastern corner of the property along Rattlesnake Creek, and that's kind of how we divided out the vegetation management plan because we had slightly different activities that we are proposing in each one of those zones. So again, they're concerned about maintenance, that's one of the biggest concerns. They're also concerned about safety. They get a lot of recreation-use down there especially when the vegetation starts to come out and get dense. They get people hanging out, they get some vagrants, so it becomes a safety concern and they often have to call the police and have people shuffled out of there for various reasons. Another concern is the stability of the bank. Again, that Zone 1 area is critical to keeping that bank together protecting the structural integrity of the hotel. They do have some minor weed issues down there, so they would like to be able to treat weeds on a fairly flexible basis. They are definitely concerned, as I mentioned. The healthy function of the riparian zone, they understand that it's important to the river and it serves a very important environmental purpose.

As far as the plan goes, we have divided it out into those three sections and just to summarize I guess, in Zone 1 we've proposed being able to treat weeds and remove pretty much any kind of woody vegetation that's going to be growing in there. The concern is that once woody vegetation gets established in there that the roots systems can damage the stabilization and then you would have to go in there and have a pretty invasive project to fix the stabilization. So just regular maintenance really helps that zone stay intact and avoids larger activities in that zone right there. Zone 2, the blue zone, that is probably the area we are proposing the least amount of activity. Right there we are proposing only doing weed treatment and removing non-native species and leaving the native species in that area, leaving them be. Zone 3, it is hard to tell from these photos, but it actually sits pretty high off of Rattlesnake Creek, it's kind of up on a wall, probably by about ten feet at least. It's kind of a mix of landscaping and natives in there. I think really the goal here in the plan, for that zone, is just do some growth management of what's there and remove weeds. They don't have any plans to remove any large vegetation unless it's got issues. Our plan, as far as timing of work, I think that the proposed motion is a little bit different than what we had proposed in our vegetation management plan. We understand that Fish, Wildlife and Parks had some concerns about doing work especially in that Zone 2 area in blue at the wrong times of year, when there was high water. We totally understand that. The owner doesn't want to be down there doing any major activities. They had proposed trying to do most work after July 1. We, the landowner, agrees with that. They would like to have some flexibility before July 1 to do some work that wouldn't require vehicles, so doing some weed treatments, doing some hand-trimming. And I have talked with Todd and worked with Todd to amend the motion. I am not sure what motion stands in front of you now, but basically the motion that stands in front of you now we are good with, the landowner is good with. And that basically says that we are not going to be in there before July 1 with any vehicles, but we might be in there by hand doing trimming or weed abatement before July 1, obviously not during high water period. Another thing that's in the motion is notification. That motion was a little bit amended from our proposal, we said 24 hours. Todd would like some additional time, CAPS department would like a little more time. That's fine with us. I think they had five working days, that's fine. I think one thing we just want to ensure is that it is often hard to pin down a day, an exact day that the work's going to be done. Because contractors, and the contractor are doing some of the work is like the cable guy, right. It's hard to know if he is going to be there between ten and four or even which day. So, what they are planning to do is give five days head's-up and probably just state a work window in which they think the work is going to get done. So they are going to say, you know it will get done in this two week or three week window we are going to be doing this activity in. I talked to Todd about that and he seemed fine with that.

Commissioner Curtiss – And Eric, I believe the pictures show, but the 55-gallon drum and the solid waste has already been removed so we can take that out of the motion, right?

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Eric Anderson – That’s right. That waste has been removed. Todd, I believe the current motion says, something about up keeping that area. “Subject to keeping the streambank and top of bank free from solid waste.”

Todd Kliezt – Sure, and we do have a recommended motion for you that updates what’s currently in your packet, to reflect the recent information from Eric and Doubletree.

Commissioner Curtiss – Okay.

Eric Anderson – I think what I have seen of the amended motion that’s fine. The landowner is going to keep that area clean, so that’s not a problem.

Todd Kliezt – I could probably add a few things now if you don’t have any more questions for Eric.

Commissioner Curtiss – Do you have anything else you would like to add Eric?

Eric Anderson – I don’t think so. I mean there’s more in this vegetation management I kind of glossed over it. If you have any questions, you know, let me know.

Commissioner Curtiss – Any questions for Eric at this time? Okay, thank you. Todd?

Todd Kliezt – So again, I would like to show the photos that previously in this area, that was where the 55-gallon drum was, and this was the refrigerators and construction debris at the top of the bank, and that has been removed. So what we have for recommended conditions for approving this plan are to keep the streambank and top of bank free from solid waste, to provide the five-day working notice prior to maintenance, and to ensure that vehicle maintenance is limited to only happening after July 1 and through Oct. 31. So what CAPS has is a recommended motion for you there to address those.

Commissioner Curtiss – So would it be helpful to add, from the comments that Eric made, about how he understands you want five days’ notice, but prior to beginning vegetation removal? That way they tell you they are going to do it in two weeks and they could do it after that time or something. And then, okay and you got the vehicular access in there so. I think we understand that before they start they need to give us notice, but we aren’t telling them they have to do it Tuesday at five or anything.

Todd Kliezt – That’s correct.

Commissioner Curtiss – Okay. Does this look okay to you Eric?

Eric Anderson – Yeah, one thing that may be a little bit unclear with that motion is that, and maybe, Todd, you are trying to keep the zone designations out of it, but the Zone 3 area which is up, you know, on the top of Rattlesnake Creek. I guess I don’t see a need to restrict vehicle access in that area because it’s literally right next to their parking lot. So I think really what we are talking about here is their vehicular access restriction just applying to Zone 1 and 2. Right?

Todd Kliezt – Well, it applies to Zone 3 as well, but we don’t anticipate you driving down that bank, the bank of the Rattlesnake.

Commissioner Curtiss – But his drawing doesn’t just encumber the bank, it also shows up on the top, right?

Eric Anderson – Right, Zone 3 is up on top of the bank. It’s not real specific about where the vehicular access is. I mean obviously they can access that Zone 3 area really easily.

Commissioner Curtiss – Is Zone 3 where the sheds are?

Eric Anderson – I don’t want to unintentionally restrict vehicular access to Zone 3, that’s what I was trying to avoid.

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Commissioner Curtiss – But it looks like the pink area that's Zone 3 is really the bank, not the parking lot, right?

Todd Kliezt – Yeah, those two boxes on the north end I believe represent their sheds, correct?

Eric Anderson – Right.

Commissioner Curtiss – So are you still concerned?

Eric Anderson – As long as it's understood that they may have a truck that they pull up in the parking lot, you really can't drive any further than the parking in that Zone 3. They can trim and throw it in the truck and that's all right. I think that's understood, but...

Commissioner Curtiss – Okay. So thank you Eric and the owners of the Doubletree for being so thorough and going through this and having a good plan going forward and for accommodating the public in lots of ways. All right, any questions? All right, is there any public comment?

Dan Monahan, General Manager, Doubletree Hotel – I just want to say thank you for the work on this project. I think it is something that we all were trying to come to a great plan that we can put on the long-term basis. A ten-year plan that hits all the goals that we have for the property and that you know the community has and so that we can be those good stewards of the land and a great resource for the community and for us to. Thanks.

Commissioner Curtiss – Thank you. Any other public comment? All right, I will close the hearing.

Commissioner Rowley made the motion that the Board of County Commissioners approve the Doubletree 310 Riparian Management Plan until Oct. 31 2017, subject to keeping the streambank and top of bank free from solid waste, providing a five working day notice prior to beginning vegetation removal and authorizing vehicular access between July 1 and Oct. 31 annually. Commissioner Strohmaier seconds.

Passed 3-0.

Commissioner Curtiss – Thanks. Thanks for your work too, Todd. All right, our next item is subdivision. The Windemere Subdivision, five lots, and Christine is our planner that will give us our staff report.

d. Windemere Subdivision-5 Lots

Christine Dascenzo, Planner, Community and Planning Services – Today I will be presenting the subdivision application for a five-lot minor subdivision entitled Windemere Place. The applicant is John DeMarois and he is represented by WGM Group. So Windemere Place is a five-lot subdivision on 25.24 acres located off Big Flat Road. Access will be provided off of the proposed Luna Lane and lot 5 will be accessed off Windemere Drive. Here is just a closer view of that property. Just an overview of the site, it's 25.24 acres, currently vacant, and located off Big Flat Road and Windemere Drive, in the upper corners. The tract history. The current configuration of the tract was created in 2016 through a boundary line relocation with Tract 14A-1a. Previously a portion of that parcel was created as an occasional sale in 1992, and then before that in 1988 it went through a boundary line relocation and retracement to create 15 and 14A. The existing conditions of the site include FEMA designated shade x on the upper corner of the parcel in the northwest and then steep slope along the ditch and the southern part of the property and then also along Big Flat Road in the northwest. In addition, Big Flat Irrigation Ditch runs through the property to the south. So the proposal would be five lots on 25.24 acres with 100 foot setbacks, building envelopes, proposed Luna Lane as a gravel road, individual wells, and individual septic on each lot. And here is just a graphic showing those 100 foot setbacks and building envelopes. The building envelope is in orange. For zoning compliance review, it is zoned C-A3 which is an agricultural and residential zone. Permitted uses include: single family dwellings, daycare homes, agriculture, open space, accessory structures and uses. The density is one dwelling per five acres. There is a lot width of one-third the average depth and 50-foot setbacks. The proposal, as we have seen, will include uses for residential and agricultural, has a density of one dwelling per 5.05 acres, 100-foot setbacks and the lot sizes range from 2.82 acres to 7.29 acres with steep slopes contained within the no-build zone or outside the building envelopes. Growth policy for this parcel is the 2016 Growth Policy and the 1998 Urban Comprehensive Plan, as an amendment to that policy, and that recommendation is residential one dwelling per five to ten acres. In the Growth Policy, we have a recommendation that guides new subdivisions to areas that have the least impact on natural resources and

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discourages development in hazardous areas where safety is compromised. And then, from the Urban Plan, specific to this region it acknowledges the demand for low density residential along the urban fringe where agricultural land is available. So concluding the review for zoning and Growth Policy compliance, the proposal complies with that C-A3 zoning. The proposal is in substantial compliance with both the Growth Policy and the Urban Plan amendment. We reviewed for agriculture and on-site those soils are prime farmland if irrigated. And you can see on this slide that lighter purple with the number one is grantsdale loam and the 44 is alberton very fine standing loam. The history of agriculture on the site; previously there was grass and hay production on 6.6 acres of the eastern part of the property and cattle pasture on 17.7 acres of the property. There's not currently agricultural use on site, there is some hay production and pasture in the surrounding area. For agriculture water user facilities, the current agriculture shows, this is from the place project that irrigated land in the area and that shows up in green on the slide and then summer fallow is shown in brown and the only place in the vicinity is to the south. So there's water rights on the property and the plan for those in the subdivision are that lots 1, 2, and 5 will get lawn and garden irrigation from water right 76M 78430 and domestic use for all lots from that water right. And then existing Tract 14A-1A will use an existing water right and the Big Flat Irrigation Ditch, which is on site, will serve lots 3 and 4 for lawn and garden irrigation. The use of that will be reduced from the original 20 acres down to 11.4 acres. The ditch is placed within a 20-foot wide easement with the subdivision.

For subdivision design, it does incorporate those 100-foot setbacks and building envelopes that preserve 19.3 acres for agriculture and the covenants include a collaborative agricultural opportunities guide policy for the right to farm, ranch and practice forestry, and a farm site evaluation tool. Just a little bit about that right to farm and ranch and practice forestry, it's a recently adopted resolution that formalizes the county's acknowledgement of the realities of agriculture and the ordinary activities associated with that that may expose folks adjacent to the area to those effects of agricultural operations. So those include working all hours of the day or throughout the day and night. Sights, sounds and odors, and potential hazards made possible by living in rural areas, and it outlines protections for farmers, ranchers and foresters as well. There's a Condition #12, in the staff report, that would replace the brochure that's included in the application, it is a draft brochure of that policy and this condition would replace it with the adopted resolution 2016-117. I should say that this picture on the slide is an example of a collaborative agricultural operation that is encouraged in that collaborative agricultural guide, that's also included in the covenants. Further mitigations for agriculture include the covenants that contains language allowing family pets, cattle, horses and sheep on the properties and landowner notification of proximity to agriculture. There's a weed management guide and plat notes that notify landowners about water rights and the agricultural set asides on the property.

So in conclusion, for the agriculture and agricultural water facilities, we found that the future ag use will be precluded from the developed land, some of the high quality ag soils will result from this subdivision, but we felt that preserving 19.3 acres of ag use reasonably mitigates impacts to agriculture and ag water user facilities will not be adversely impacted by this subdivision. The local services were reviewed and the proposal would have the lots 1 through 4, accessing off Big Flat Road, which is a 24-foot-wide paved public road. And Windemere Drive would be the access for lot 5 and you can see that paved driveway here and that would be 19-foot-wide and that road is a private road. The road is 19-foot-wide. The proposal for the subdivision is that Luna Lane, serving lots 1 through 4 and that would be an 18 foot wide gravel road within a 40-foot-wide private easement. It ends in a cul-de-sac on lot 3, here, and includes a 90 degree turn off Big Flat Road, here, and that would require a designed approach and engineered intersection design, reviewed by Public Works in Condition #3 and then Condition #4 includes drainage review by Public Works for the sumps. There are six sumps located on site here and here that are proposed with the subdivision and would get reviewed by Public Works during final plat, prior to final plat. The road standards in the subdivision regulations require an 18-foot wide gravel road within a 40-foot-wide private access easement and it's not located within the air stagnation zone so paving is not required. Windemere Drive would provide that approach to lot 5 and would be paved in consistency with the HOA [Home Owners Association] standards for the road. One thing that Luna lot does create is offsite impacts by creating through lots. So Luna Lane creates through lots on lots 1, 2 and 3 of Doherty tracts, here, and through lots as defined in the subdivision regulations are lots that have streets on both the front and rear of the property. So you see an example of that here and Section 3.3.2.4 prohibits through lots unless they are mitigated. The placement of the road, which created the through lots, was due to the mitigation of agriculture by the first proposal, which had a road through the middle of the subdivision, and by re-designing it along the western boundary, we get that more contiguous potential for agricultural use in the middle of the property. But it does result in through lots off-site. Just some examples of through lots that have been created. In 44 Ranch Estates, you see through lots here, and then this lot, too, here has a triple fronted through lot. And then this is just a photo of the effect of those, so it essentially puts the backyard along the street and is often fenced for privacy. And so here we see an example of through lots in 44 Ranch. And then on the right there we see no through lots and so

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just side yards and front yards along the streets. So some of the mitigation efforts for this subdivision, as proposed, there would be an access control line along the western side of Luna Lane to prevent access from those lots 1 through 3 of Doherty tracts onto that parcel, so limiting access to Luna Lane from the west. And then also screening the road to the west with landscaping berms or grading and that's a condition, I believe number five. So, Condition #5 would require that screening. And so, as proposed, the road standards are met as conditioned. We did review for local services with regard to the fire department and there is a finding on page seven, finding number one in that section that should be updated to state that, 'According to the applicant's representative, the property is located within the urban wildland interface.' I believe I have language on another slide that will show that. So we have updated information that locates the subdivision within that WUI, the wildland-urban interface, and as a result the applicant did submit a fire hazard assessment, which you got today, and there are extra copies on the back table, if anyone wants to see that. They did receive a score of 30 which is a low-hazard. So it doesn't alter any of the conclusions made in the staff report, but is just additional information. And so here is that recommended change to the findings, making that a positive that it is located within the WUI. And then, the additional finding that the applicant completed the fire hazard assessment and received a low score of 30. Subdivisions with scores less than 40 are not considered wildfire hazard areas. Further mitigation that is proposed is, for fire, is residential fire sprinklers and those will be required with the subdivision. There's notification on the final plat of that requirement. And an RSID [rural special improvement district] waiver if community or municipal water supply is available in the area for fire mitigation, firefighting. And in conclusion of this review, the application is low wildfire hazard risk and the fire protection requirements are met. In the review for wildlife and wildlife habitat, threatened and endangered species are not located on site. There's another finding, on page eight, that could be amended to strike, so this is page eight of the staff report, and it is recommended that we strike the language as shown on the screen since that's a conclusion rather than a finding of fact and that the site is, as a whole, appears to offer no wildlife habitat, we can strike that. In further mitigation of potential impacts to wildlife, the proposal, again, has 100-foot setbacks, building envelopes, and contains covenants that address living with wildlife. And in conclusion, of that review, impacts have been mitigated as proposed and conditioned, and the subdivision complies with the regulations as conditioned. In further review of public health and safety, the site is located, or there is a portion of shaded x on-site, and the floodplain administrator noted the potential for high ground water in this location, and we have had reports of basement flooding in properties to the north. So we have another additional finding that would include the information that the base flood elevation is 3,086 and include information that areas to the north have experienced basement flooding. And that further adds to the Condition #10 that's on page 13 of the staff report, just including that elevation data in that condition. We did do the standard mailing to the adjacent property owners and interested parties and received a comment today from Alan and Natalie Stohle, neighbors to the south with objections to the placement of the road. They would prefer that access would be placed off Windemere Lane rather than Big Flat Road and not along the ditch. They also objected to lots 1 and 2 being less than five acres. And then, just a CAPS note, that zoning permits the average density to apply to subdivisions so with 25 acres and five lots they're averaging slightly above that five acre zoning. And they are flagging inadequate notification of the area with additional information that only adjacent and affected property owners were notified and would prefer that all Big Flat residents be notified. And just a note from CAPS, in the regulation Section 5.7.11.1, of the subdivision regulations, requires that adjacent property owners be notified as well as interested parties. And so we did mail to the adjacent property owners and an email was sent to the president of the HOA.

Commissioner Curtiss – Christine, was there also posting in the neighborhood to say there was a subdivision? Or was that not required?

Christine Dascenzo – It's not required. And sometimes we can get to it and we didn't in this case.

Commissioner Curtiss – Okay.

Christine Dascenzo – But staff is recommending that the Windemere Place Subdivision be approved. Thanks.

Commissioner Curtiss – All right, any questions for Christine at this point? All right, is the developer's representative ready?

Jeff Smith, WGM Group, representing Jack DeMarios – Thanks for your time today and thanks to Christine and Tim and the team at CAPS for their work on this project. Christine covered some of what I have, so I will try not to be repetitive. Christine discussed that Windemere Place is a proposed five-lot subdivision in the Big Flat area. The

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proposed density of just over one lot per five acres is in conformance with the density allowed in the zoning ordinance, the Growth Policy, and the underlying protective covenants. Christine went through some of the history of the current configuration of the tracts. I wanted to go back just a little further and discuss the original creation of the tract that's being subdivided. Tract 15, which is now tract 15A, after several boundary adjustments, was originally created in 1985 with certificate of survey 1131. Covenants filed with certificate of survey 1131 run with the land proposed for subdivision and are applicable to development on the proposed lots. The expressed intent of the covenants is to maintain the choice of rural character of the property for the benefit for all current and future property owners. Covenants limit use on the tracts to residential and agricultural uses and specify the maximum residential densities must match zoning regulations. Also required is a 100-foot setback for buildings from property lines and road easements. I think it's important to note when considering the proposed Windemere Place Subdivision that all adjoining tracts that were originally created in 1985, with COS 1131, have further been divided to an average density of about one per five acres. You can see in the photo here, these are five-acre tracts. Everything surrounding this has been subsequently subdivided to about one per five acres. So the proposed subdivision matches the rural character of these previous divisions and is in line with the protective covenants that were filed with the original certificate of survey. Most of the soils in the Big Flat area are classified as prime farmland if irrigated. With respect to this valuable resource, we've worked to design appropriate mitigation in line with both the subdivision regulations and good design practices to protect most of the prime if irrigated soil on the property for the generations to come. Through a combination of building envelopes and protective covenants, approximately 80 percent of the property's prime if irrigated soil will be protected and preserved. Building envelopes limit the area of the lots that can be developed with non-agricultural uses and the covenants limit all areas outside of the envelopes to agricultural uses as defined by the Montana Code Annotated, few exceptions are made for driveways and utilities. This proposal represents an improvement in mitigation over previous divisions in Big Flat where no protective agricultural covenants were created and improvements such as paved tennis courts and paved basketball courts exist in areas that will be preserved in Windemere Place. This slide shows our original design that Christine mentioned. Originally, we had included a road that bisected the property that accessed Windemere Drive and served all five lots via this road. After discussing the project with the review team, we rearranged the site to improve the design from an agricultural standpoint. By shifting the road, access to Big Flat Road and realigning the road so that rather than bisecting the site it ran along the western boundary, we were able to create a contiguous area of agriculturally protected soils. Aligning the road along the west boundary requires a little more earthwork than was previously considered and results in a slightly longer road than the previous proposal, but it was worth it to our client in terms of the improved agricultural mitigation. With this project, we are including a collaborative agricultural guide in the covenants that Christine discussed. The goal to this guide is to educate future landowners about the quality of the soil on their property, provide examples for agricultural development of their land, and encourage collaboration with their neighbors for agricultural production. Individual ownership of smaller parcels of land can lead to more intense agricultural operations and production and diversity of crops. The hope with the guide is that this type of more intense use is encouraged and agricultural development occurs on each lot. Also included are several resources including the Missoula County right to farm resolution and a farm site evaluation tool from CFAC [Community Food and Agriculture Coalition of Missoula County]. I would like to thank Bonnie Buckingham and her team at CFAC for their help in preparing this guide.

Christine discussed access at length, but I wanted to touch on the mitigation impacts of the three lots a little bit. So access for lots 1 through 4 of Windemere Place is provided via Luna Lane, which has new street accessing from Big Flat Road. It's adjacent to the adjoining property to the west and in order to prevent creation of a through lot no access strip was included along that west side. In order to mitigate the potential visual impacts to the properties west of Luna Lane, recommended condition of approval, number five, calls for screening of the road through use of berms, grading, vegetation or other means. The Big Flat Irrigation District ditch runs along the west boundary of the property and it's generally about 20 to 60 feet away from the property line. The berm created by the ditch is several feet in height. Here you can see from this photo, it's anywhere from about three to four feet tall. We believe that proposed Condition #5 is satisfied with our current design through a combination of the screening provided by the ditch, very difficult to see here, but I am standing on the other side of that berm and I am holding my hand up in the air right there as reference of the impact of that berm. We believe that the combination of that berm and our proposed grading for Luna Lane, which sets the road slightly below the existing grade at the west property line, satisfies that condition of approval. Thanks for your time today. I think Christine covered everything else really well and I look forward to answering questions.

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Commissioner Curtiss – Any questions for Jeff at this time? Thank you. All right, this is a public hearing, is there anyone who would like to make comment? Yes, if you could come to the mic and state your name please.

Jan Hiller – I am a 20-year resident of Big Flat Road and part of my property adjoins the proposed subdivision. I also share a boundary with the Stohle's, whose letter you showed up on the screen a little bit ago. I am concerned because from the time I bought property on Big Flat Road it was my understanding that there was a five-acre covenant for individual homes. I understand that the developer says, 'Well this is 25 acres and if you divide that by five then each one it averages 5.05 acres.' However, two of the proposed five lots fall far below that covenant limit. One is 2.8 acres the other one is just over three acres and it seems to me that that is not within the spirit of rural neighborhood. Those lots are too small. I think I would be more likely to be in favor of this plan if the lots conform to the five-acre limit, which they do not.

Commissioner Rowley – Is that five acres set in the covenants or zoning?

Jan Hiller – Pardon me?

Commissioner Rowley – You said, the covenants. Is that five acres set in the covenants or the zoning?

Jan Hiller – Well, it's zoning, I don't know all the terms. I'm not real good at that part of it.

Commissioner Rowley – That's fine, I just wanted to make sure I was understanding.

Commissioner Curtiss – So, just to clarify and Christine said this a little. So, it is a five acre average. It's not a minimum lot size. There are a few zoning districts that have minimum lot size like the Target Range. They have one close to McCauley Butte that says it has to be one-acre minimum. So ours is not and if you look at the map that's on the screen right now, I think part of the challenge of having them, because they have adequate land to do that, but if you look at the additional piece that is in your zoning area in covenants more than with that 100 foot set back. So if you look at the dotted lines, and you can see how they need to be back 100 feet, because of that little section that goes through the middle there that shows the different elevation that kind of limits land so I think that's why it was designed that way, but overall because they are all 100 feet back everybody's going to have a building envelope to build within. I would hope the rural feel is still there, but our zoning does not require the minimum lot size so we can't make them do that.

Jan Hiller – So basically, I am just trying to understand this, if somebody bought a 25-acre parcel and they wanted to put five lots on it, because of the way the zoning is, you are saying they could have four lots be one acre each and the other lot be 21 acres.

Commissioner Curtiss – They could, as long as they could you know get their well and septic and everything to fit on that. So what it does is it meets another goal of rural areas which is to leave more area that can be used for agricultural purposes and kind of put all the houses in one area. So technically, yes, they could.

Jan Hiller – Okay. Well, I guess that's all I wanted to say then.

Commissioner Curtiss – Okay, thank you for your input.

Bonnie Buckingham, Community Food and Agriculture Coalition of Missoula County – Thank you for your time today. This actually might be a first for CFAC [Community Food and Agriculture Coalition] to stand before you and say that we are not opposing a subdivision today. We did comment on this subdivision back during first sufficiency and our recommendation at that time was that it be redesigned to more clearly identify a larger contiguous piece of land would just be set aside strictly for agriculture and use it in its entirety for productive farmland. Certainly, CFAC has maintained our position over the years, that putting our prime agricultural soils in conservation easements and protecting them for the future is the ideal. However, we recognize that there's not a legal obligation to do that and so, in light of that, we do feel that there has been a good effort put into designing this subdivision and adjusting the building envelopes allowing for more land to be held for agriculture in the future. We did meet, as was said before, with Jeff Smith several times to help design those envelopes and the road in a way that leaves most of the soil intact and using the minimal setback from the covenants on that. We also did provide resources from our farm link website and also some various other internet information that we could provide to

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really encourage, if not expect, that the landowners will take advantage of that and perhaps create some collaborative agriculture projects on the land. Hopefully, in light of these and with the different covenants that were mentioned previously the landowners that do buy the land will take advantage of that and we hope to continue to be a resource as the development moves forward. Thank you very much for your consideration and if you have any questions, I am happy to answer those.

Commissioner Curtiss – Thank you, Bonnie. Is there any other public comment? Okay, seeing no one come forward, I will close the hearing. So, Christine you recommended a couple amendments to address the wildlife, wildfire and flooding. So do you have those in one place for motions to amend the conditions and findings?

Christine Dascenzo – Well, I probably should have, but I can find them. I don't have them all in one place.

Commissioner Curtiss – Okay, we can start with the first one. Any questions from the commission first?

Commissioner Strohmaier – Yeah, I've got some questions. Jeff, would you mind addressing, going back to Ms. Hiller's comments and concerns about lot sizes, what the rationale was for how the lots were configured and sized?

Jeff Smith – Certainly. This is an okay slide to discuss that. Lot 2 would be the smallest parcel on the property at just under three acres. If you look at the configuration of the lot to the west, our thought there was that we would most likely end up with an average spacing of homes that matched the properties on the west side, maintaining that character. Also, the way that the grading works on lot 2, there's a piece of high ground that sits on the west half of the property, limits the ability to locate your building. So we felt that lot 2 worked best at that size and we maintained much larger usable areas on the other lots by sacrificing a little bit on that lot because of the grading constraints and the adjoining lot to the west, we felt that was an appropriate measure.

Commissioner Strohmaier – Thank you. Going back to the, I guess it's Condition #5 that relates to the screening along the irrigation ditch, just so I understand, you're not suggesting that that condition be deleted? Or, you are suggesting that the ditch as it currently is situated fulfills that condition?

Jeff Smith – Correct. I wanted to have the discussion during this meeting. We are not suggesting that that condition is removed or amended in any way, but since our thought process for satisfying that may be a little unconventional, involved an improvement offsite, we wanted to include that discussion with our meeting today.

Commissioner Strohmaier – Okay, thanks. One more question. Shifting to the covenants for a second, tab six, I am looking at page 15, I was doing some recreational covenant perusing last night. So page 15, I am looking at the paragraph E amendments, and it states about a little over half way down, "No covenants or sections thereof relating to address signage, radon, weed control, landscaping, building permit requirements, residential use, living with wildlife, rodent control and amendments may not be changed or deleted without prior written consent of the governing body." I was wondering if it was perhaps an inadvertent omission not including building envelopes and agriculture because I think that would, I would certainly have an interest in that sort of change coming before the governing body and it relates to the covenants. Is that something that you or the developer would be amenable to?

Jeff Smith – Absolutely, I agree, that should be included in that paragraph of the covenants.

Commissioner Curtiss – But aren't they addressed in another way? That's what I am thinking. This is kind of standard language. But doesn't the plat have the agriculture and the envelopes on it?

Jeff Smith – So the plat will include the building envelopes. I think as far as the covenant restriction on agriculture uses that is not included on the face of the plat. It is included in the covenants and certainly, the intent of the developer is to maintain those requirements with the subdivision, so I think it perfectly appropriate to include those in paragraph E.

Commissioner Curtiss – But the building envelope is going to be on the plat. So it doesn't need to be in here.

Commissioner Strohmaier – But there is a building envelope section in the covenants so all of these other items, whether its radon, landscaping, residential use, are reference sections in the covenants. I guess what I am suggesting

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is that the building envelope section that deals specifically with agriculture outside of the building envelopes also be included in this list.

Jeff Smith – I would volunteer that that is added and if that is a condition or a...

Commissioner Strohmaier – Does that need to be a motion?

Commissioner Curtiss – If we did the building envelopes then it addresses both things you're talking about..

Commissioner Strohmaier – Correct.

Commissioner Curtiss – I see what you are saying.

Commissioner Rowley – Whose the governing body?

Commissioner Curtiss – We are.

Commissioner Rowley – That's not defined. And I thought that we generally didn't involve ourselves in covenants.

Commissioner Curtiss – We do in these certain ones.

Commissioner Rowley – That can't be changed? Okay. So there should be a definition of that though because it could be interpreted that the HOA is because it's the governing body of the subdivision.

Commissioner Curtiss – Tim, I think this is pretty standard, but I'm not saying that you are wrong.

Tim Worley – Yeah, the subdivision regulations definition of governing body is Board of County Commissioners in your own regs, so.

Commissioner Curtiss – So that's assumed in the covenants then.

Tim Worley – Yes, it's referring to you, yep.

Commissioner Rowley – Well, I knew it was I don't think that's clear because it's not defined in the covenants, but...

Christine Dascenzo – One thing that might clarify it is in the definitions they do have a definition for board of directors, which is the HOA.

Commissioner Curtiss – Okay, so their board of directors not, okay.

Commissioner Strohmaier – So, would I need to make a motion as far as changing the covenants?

Commissioner Curtiss – I was just going to ask Tim if that made sense. If we just included building envelopes, the section related to building envelopes in that paragraph on page 15, is that the right way to do it? So that it reflects that building envelope and that agricultural covenant? Since he's better at writing these.

Commissioner Strohmaier – Yeah, because it is the building envelope section, as near as I can tell, the only place in here that references agriculture.

Tim Worley – Yes that should work. Jeff just showed it to me and I think it should work to add that.

Commissioner Strohmaier – Okay.

Commissioner Curtiss – Okay, so you keep that in your mind, for your motion. Did you have any other questions?

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Commissioner Strohmaier – No other questions. I just want to recognize Jan. I think your concerns are entirely understandable. I think when folks often times think of number of dwelling units or density per acre, even in zoning, that the standard thought by many might be minimum lot size and that's for better or for worse not the case with what we are dealing with here. And I guess the other, it's kind of a matter of competing interest to some extent, in that one of the opportunities for preserving some larger contiguous areas of ag land, which is also seen as a rural value by many, is potentially accomplished by clustering home sites on less than a full five-acre parcel. So it's not easy trade off, but at least in my thinking, that's one reason why I would be okay with the lot configuration as is because it does allow for, I think, a more meaningful opportunity for agriculture than the original proposal as was brought forward. I do want to thank WGM for reaching out and the developer for reaching out to folks in the ag community and CFAC. I much prefer it when those discussions are able to happen well in advance of a public hearing and some meeting of the minds can come together. Unfortunately, I wish that more people were in attendance of these sorts of meetings because I hope that the word gets out that this is a creative approach that you've explored this project and I would hope that others in the future proposing projects would be equally creative.

Commissioner Curtiss – I too would just like to add that I think that because of all of the preservation of ag land around each of these lots that as you drive by you are still going to feel like you are one per five. It's just whose yard and whose pasture is next to whose so I get what you are saying, however. Did you have any questions or comments? Okay, so it seems like we have one section of the covenants to amend and a few findings of fact or conditions. I think they were all findings of fact. Not conditions, we didn't change any conditions, did we?

Christine Dascenzo – We could add elevation to the flooding or the certificate, pre- and post-certificate.

Commissioner Curtiss – Oh, right, okay. So when I look at the map, it doesn't look like, the elevations that show on the big plat, it doesn't look like any of them are at 3,088. So they seem to be higher than that. So, it's just a precautionary thing to make sure that people that they're not going to flood their basement.

Todd Klietz, Floodplain Administrator, Community and Planning Services – So this is the actual FEMA floodplain map for that area and where we are looking at is down in this particular location, for Windemere Subdivision. And how this floodplain is mapped, what's blue is where FEMA requires flood insurance, so the blue polka dots require flood insurance. The black polka dots also represent areas of flooding, but they don't require flood insurance there. So that is shown on one of the exhibits that WGM produced showing this portion right here being in the zone x floodplain, shaded zone x floodplain, and that is also shown on their exhibit for the lots.

Commissioner Curtiss – So what I am saying though is the map of this subdivision itself, the elevations don't seem to be below that number so that they would have to worry.

Todd Klietz – So the only portion that's shown as being in a mapped floodplain is on the northwest corner.

Commissioner Curtiss – Lot 1.

Todd Klietz – Lot 1. So in Montana, by state law, the designated floodplain boundary is per the 100 year or base flood elevation, so where that actual elevation resides on a property. The map floodplain boundary may be used as a guide for determining whether the property is within the designated floodplain, but the exact boundary shall be determined according to the base flood elevation. So on their topo map, what I have done is to trace a red line approximately where that 100-year elevation falls on this property. So, although only the northwest portion of the property has any kind of map floodplain the actual floodplain, based on elevation, extends throughout the property and that's also shown during this 1997 flood photo where you can see some water flowing through this particular selection. If I go back up just a little bit, and zoom in...

Commissioner Curtiss – But they've drawn envelopes so that they're not in most of that, but they aren't complaining about it, I just wondered whether it was necessary.

Todd Klietz – And just regarding the flood depths at a flood elevation of 3,086 we've got, at least in some portions of the property are down to 3,082. And when we get down into these depths in a floodplain where you are talking about sands and gravels and alluvium. It's not like building in clay where you have some natural protection from floodwaters to get into someone's basement. It was alluded to that just north of here we have had complaints

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resulting from homes that were flooded during 2011, basement homes, not being overly flooded, but being flooded through ground water just north of here. So it is a protection for the future occupants.

Commissioner Curtiss – Okay, thank you, Todd. All right, any other questions before we start with motions? So we have some findings of fact, some covenants, and a condition.

Commissioner Strohmaier – So, could we roll the amended findings of fact and conditions of approval into one motion here? Or, do we have to take the individual...

Commissioner Curtiss – I think it's easier for Sarah to type if we do them individually. I mean just like the one that's shown there with regard to fire and then we go to the next one. I think that's the easiest way to do it. Since she has to listen to us.

Commissioner Strohmaier made the motion the Board of County Commissioners adopt amended finding in fact number one which states according to the applicants representative the property is located within the wildland interface.

Commissioner Curtiss – So striking not and then number two is new, right? The additional finding that goes with that because they did that hazard assessment.

Christine Dascenzo – That's correct.

Commissioner Strohmaier moved the additional finding that the applicant completed the fire hazard assessment and received a low score of 30. Subdivisions with scores less 40 are not considered wildfire hazard areas. Commissioner Rowley seconds.

Passed 3-0.

Commissioner Curtiss – All right, so that's page seven, I think the next one is on page eight.

Commissioner Strohmaier made the motion that finding of fact #6 be modified to strike "and the sites as a whole appears to offer no wildlife habitat." Commissioner Rowley seconds.

Passed 3-0.

Commissioner Curtiss – So this one is Condition #10. So additional finding would just be the list that flood elevation. So that would be a new finding and then it relates to the condition. Okay, it didn't tell us what the number that they should do the pre and post for so I thought it was important to add this.

Commissioner Strohmaier made the motion that the base flood elevation is 3,086 areas north of the subdivision experience basement flooding and Condition #10 that should read two feet above the base flood elevation of 3,086. Commissioner Rowley seconds.

Commissioner Curtiss – And it should include that NAVD88. I forget what that stands for. North American Vertical Data.

Commissioner Strohmaier – So moved.

Commissioner Curtiss – All right. So, the additional findings are under criterion five and then the other is Condition #10.

Passed 3-0.

Commissioner Curtiss – All right, did we get all of those then, Christine? Is that the last one?

Christine Dascenzo – Those are all the staff recommendations. There may be the covenant motions.

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Commissioner Curtiss – Okay now the covenant one.

Commissioner Strohmaier made the motion that paragraph 4E of the covenants be amended to include reference to building envelopes.

Commissioner Curtiss – Okay, so it's the section in the covenants related to building envelopes.

Passed 3-0.

Commissioner Curtiss – Okay, so we need a motion on the whole subdivision as amended.

Commissioner Strohmaier made the motion that the Windemere Place Subdivision be approved based on the amended findings of fact and the staff report and public testimony and subject to the recommended amended conditions of approval in the staff report. Commissioner Rowley seconds.

Passed 3-0.

[Letter 2017-235: Dated July 17, 2017 mailed to John (Jack) E. DeMarois, C/O WGM Group]

7. OTHER BUSINESS

Commissioner Curtiss – Is there any other business to come before the commission? Seeing none, we are in recess.

8. RECESS

Commissioner Curtiss called the meeting to recess at 3:37 p.m.

Friday, June 23, 2017

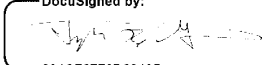
BCC did not meet in regular session. JC, NR and DS out of office all day.

Items for Signature

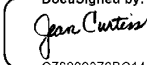
Letter No. 2017-214 – JC and NR signed. Dated June 23, 2017 confirming approval of Spurgin Ranch Subdivision. BCC approved at May 11, 2017 public meeting. To Spurgin Ranch, LLC.

Settlement Offers – BCC signed. Dated June 23, 2017 offering a refund for fees incurred for towing of a vehicle from Kona Ranch Road and Sandalwood Court during the Fourth of July weekend in 2016. In exchange and upon cashing of the enclosed check, the recipient waived any rights to sue Missoula County or its employees for any towing related damages. Letters 2017-215, 216, and 217.

Journal Approval

DocuSigned by:

604CF6776D68405...

Tyler Gernant
Clerk & Recorder

DocuSigned by:

C78299876BC14E6...

Jean Curtiss, Chair
BCC

Monday, June 26, 2017

BCC met in regular session; all three present.

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Calendar

9:00 a.m. - 9:30 a.m.	BCC - Budget Review - Community and Planning Services
9:30 a.m. - 10:00 a.m.	BCC - Budget Review-Parks
10:00 a.m. - 11:00 a.m.	BCC - Budget Review-Grants
11:30 a.m. - 1:30 p.m.	NR - Governing Board Meeting-Missoula Aging Services
12:30 p.m. - 1:30 p.m.	JC - Missoula Economic Partnership Lunch
1:00 p.m. - 2:00 p.m.	JC - Mental Health Summit Conference Call
2:00 p.m. - 3:00 p.m.	BCC - State Parks Update
3:30 p.m. - 4:00 p.m.	BCC - Interview Lolo Community Council - Courtney Bowers
4:00 p.m. - 5:00 p.m.	NR - Technical Advisory Group
7:00 p.m. - 9:00 p.m.	BCC - City Open Space Bond Hearing

Items for Signature

Records Disposal/Transfer Authorization – JC signed. From Clerk of District Court. Disposal Number 2017-04: 1) Juvenile – DJ Case# 2331-2367 (9/1988 – 2/1989).

Records Disposal/Transfer Authorization – JC signed. From Clerk of District Court. Disposal Number 2016-33: 1) Juvenile 2244-2330 (12/1987 – 9/1988).

Letter No. 2017-218 – BCC signed. Dated June 26, 2017 confirming approval of Elaine Anderson-Wood family transfer exemption. BCC approved at June 22, 2017 public meeting. To C. Leroy and Joanne Anderson.

Tuesday, June 27, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	BCC - Chief Administrative Officer Update
10:12 a.m. - 10:53 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 12:00 p.m.	BCC - Health Department Update
1:00 p.m. - 5:00 p.m.	BCC - Review of Budget Requests
1:00 p.m. - 2:00 p.m.	JC - Partnership Health Center Missoula Call
5:30 p.m. - 7:00 p.m.	DS - Missoula Art Museum Award Ceremony
6:00 p.m. - 8:00 p.m.	JC - Nancy Harte Retirement Party
7:00 p.m. - 8:00 p.m.	DS - Nancy Harte Retirement Party

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 27, 2017 Start 10:12 a.m. - End 10:53 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Andrew Czorny, Chris Lounsbury, Barbara Berens, Larry Farnes, Katie Kliez

Other Attendees: Cindy Farr, Robin Moore

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Reaffirm the Board of County Commissioners June 21, 2017 motion to sign two agreements with the City of Missoula and Mountain Water to settle claims for taxes owing including penalty and interest and payment in lieu of taxes (PILT), related to the acquisition of Mountain Water.

Presenter: Chris Lounsbury

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Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Adopt amended motion that was passed on June 21, 2017.
Original to Matt Jennings, County Attorney's Office.

2. Request board approve and Chair to sign contract (Task Order #18-07-3-01-142-0) with the Montana Department of Health and Human Services to fund the Montana Cancer Control Programs, Worksite Wellness Program, Chronic Disease Self-Management Program, and Montana Tobacco Use Prevention Programs in Missoula, Mineral, and Ravalli Counties and the Montana Asthma Home Visiting Project in Missoula County, providing \$480,175 for seven programs.

Presenter: Cindy Farr
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2018
Original sent to Cindy Farr, Missoula City-County Health Department (MCCHD).

3. Request board approve and sign professional services agreement between Missoula County and Mineral County committing Mineral County Health to serve as a contractor to provide Montana Tobacco Use Prevention Program in Mineral County, compensation for services is not to exceed \$24,750.

Presenter: Cindy Farr
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2018
Original to Cindy Farr, MCCHD.

4. Request board approve and sign professional services agreement with Comfort Systems USA Temp Right Service, a sum not to exceed \$21,088, to replace and install the new cooling tower in the County Administration Building.

Presenter: Larry Farnes
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info:
Filed with Clerk and Recorder/Treasurer's Office. Original to Larry Farnes, Facilities Management.

III. CORRESPONDENCE None

IV. DISCUSSION ITEMS

1. Upcoming board meetings & review of meetings.

V. UPCOMING EVENTS AND INVITATIONS None

VI. OTHER COMMENTS/INSTRUCTIONS None

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Wednesday, June 28, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m.	NR - Jessica Morris
9:00 a.m. - 10:00 a.m.	DS - Destination Missoula
10:03 a.m. - 10:34 a.m.	BCC - Commissioners' Administrative Public Meeting
11:00 a.m. - 12:00 p.m.	NR - Kascie Herron
1:00 p.m. - 2:00 p.m.	BCC - Budget Review - Health Department
2:00 p.m. - 2:45 p.m.	BCC - Budget Review - Partnership Health Center

Items for Signature

County Payroll Transmittal Sheet – BCC signed. Pay period: 13/CY2017 – Pay Date June 23, 2017. Total payroll \$1,720,022.58. To Barbara Berens, Auditor's Office.

Indemnity Bond – JC signed. Jennifer White, Missoula, MT. Frenchtown School District Warrant 26083155, issued May 10, 2017 on Missoula County payroll fund. Amount \$382.32 for payroll. Warrant Lost.

Replacement Warrant – JC signed. Missoula County Medical Benefits, Missoula Rural Fire District Warrant 80074830, issued Mar. 14, 2017 on Missoula County fund 7230. Amount \$72,706.80 for Mar. Medical/Dental/Vision Premiums. Warrant not received in mail.

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
ADMINISTRATIVE PUBLIC MEETING MINUTES
MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
June 28, 2017 Start 10:03 a.m. - End 10:34 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Chris Lounsbury, Annie Cathey, Katie Kliezt

Other Attendees: Jeff Darrah, Sindie Kennedy, Lewis Poepple

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board approve and sign resolution for budget amendment to move \$10,407 from cash into Capital Other Improvements in the Animal Control Fund and a budget transfer of \$20,000 from Capital Building and Construction to Capital Other Improvements in the Animal Control Fund.

Presenter: Jeff Darrah

Moved: Nicole Rowley

Second: David Strohmaier

Motion: Approve budget amendment Resolution to move \$10,407 from cash into Capital Other Improvements in the Animal Control Fund.

Approve budget transfer of \$20,000 from Capital Building and Construction to Capital Other Improvements in the Animal Control Fund.

Vote: Yes 3, No 0, Abstained 0

Additional Info: Term: June 30, 2017 through Dec. 27, 2020

Resolution 2017-197. Filed with Clerk and Recorder/Treasurer's Office. Budget amendment to Teresa Graham, Financial Services. Budget transfer to Jeff Darrah, Missoula City-County Health Department.

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2. Request board approve and Chair to sign the contract between the State of Montana Department of Commerce and Missoula County for the Buena Vista Wastewater System Improvement Project, in the amount of \$373,770.

Presenter: Sindie Kennedy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Authorized chair to sign by DocuSign

Filed with Clerk and Recorder/Treasurer's Office. Original to Sindie Kennedy, Community and Planning Services.

3. Request board approve policy revision to Missoula County Human Resources Policies section 409.00 Personal Leave to allow non-union employees to access personal leave at the outset of employment and eliminate the requirement that the employee attain "regular" status, i.e., be off probation, to use this benefit. Postponed

III. CORRESPONDENCE None

IV. DISCUSSION ITEMS None

V. UPCOMING EVENTS AND INVITATIONS None

VI. OTHER COMMENTS/INSTRUCTIONS None

Thursday, June 29, 2017

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 10:00 a.m. DS - Mike Haynes
 10:00 a.m. - 11:03 a.m. BCC - Commissioners' Administrative Public Meeting
 11:00 a.m. - 12:30 p.m. BCC - Review of Budget Requests
 1:30 p.m. - 4:30 p.m. BCC - Review of Budget Requests

Administrative Meeting

**BOARD OF COUNTY COMMISSIONERS
 ADMINISTRATIVE PUBLIC MEETING MINUTES
 MISSOULA COUNTY ADMINISTRATION BUILDING, 199 WEST PINE STREET, ADMIN ROOM 206
 June 29, 2017 Start 10:00 a.m. - End 11:03 a.m.**

ATTENDANCE Present: Jean Curtiss, Nicole Rowley, David Strohmaier, Vickie Zeier, Chris Lounsbury, Barbara Berens, Annie Cathey, Katie Kliez, Greg Robertson, Andrew Czorny, Jason Emery, Bernadette Roy
Other Attendees: Nicole Rush, Martin Kidston, Michael Morgan by phone, Eric Gabster, Jason DeCunzo, Joe Burnich

I. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA None

II. ACTION ITEMS

1. Request board approve and sign resolution authorizing submission of Big Sky Trust Fund (BSTF) job creation application, and authorize chair to sign written application, when completed, on behalf of Synema Studios, LLC.

Presenter: Nicole Rush
 Michael Morgan- by phone

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Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Resolution 2017-198. Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, Bitterroot Economic Development District (BREDD).

2. Request board approve and sign resolution authorizing submission of Big Sky Trust Fund (BSTF) job creation application, and request chair to sign the written application, when completed, on behalf of Tru-Home Montana, LLC.

Presenter: Nicole Rush
Eric Gabster
Jason DeCunzo
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Resolution 2017-200. Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, BREDD.

3. Request board approve and sign resolution authorizing submission of Big Sky Trust Fund (BSTF) job creation application, and request chair to sign the written application, when completed, on behalf of Big West Marketing, Inc.

Presenter: Nicole Rush
Joe Burnich
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Resolution 2017-199. Filed with Clerk and Recorder/Treasurer's Office. Original to Nicole Rush, BREDD.

4. Request board approve and sign employment agreement for Kevin Chin, DO (Doctor of Osteopathic Medicine) with Partnership Health Center-Missoula County for the term of 07/01/2017-06/30/2018 as a regular, part time (0.88 FTE - full time equivalent), 35 hours per week for the hourly rate of \$93.30.

Presenter: Bernadette Roy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, Partnership Health Center (PHC).

5. Request board approve and sign employment agreement for Jazmin Nelson, DMD, Dental Director, at Partnership Health Center - Missoula County for the term of July 1, 2017 to June 30, 2018 for 40 hours per week for the hourly rate of \$84.00 which is an annualized salary of \$174,720.

June 2017

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Fiscal Year: 2017

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

6. Request board approve and sign employment agreement for Kathryn Hiett, RN as Director of Nursing with Partnership Health Center-Missoula County for 40 hours per week at the hourly rate of \$32.16, which is an annualized salary set at \$66,892.80.

Presenter: Bernadette Roy
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2018

Filed with Clerk and Recorder/Treasurer's Office. One original to Patricia Baumgart, Human Resources, and one original to Lindsey Cromwell, PHC.

7. Request board approve and sign professional services agreement between Partnership Health Center (PHC) and Missoula County for PHC to serve as a Contractor to continue to implement breast and cervical screening services, patient guidance, etc. for the term of July 1, 2017 to June 30, 2018, for a sum not to exceed \$191,525.00 paid to PHC.

Presenter: Bernadette Roy
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Filed with Clerk and Recorder/Treasurer's Office. Original to Lindsey Cromwell, PHC.

8. Request board approve Cell Phone Policy.

Presenter: Barbara Berens
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Original to Barbara Berens, Auditor's Office.

9. Request board approve amended Travel Policy.

Presenter: Barbara Berens
Moved: Nicole Rowley
Second: David Strohmaier
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0

Additional Info:

Original to Barbara Berens, Auditor's Office.

June 2017

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Fiscal Year: 2017

10. Request board approve and sign professional services agreement with Rocky Mountain Capitol Consulting, LLC for legislative related advocacy services, in the sum of \$2,500 a month.

Presenter: Greg Robertson
Moved: David Strohmaier
Second: Nicole Rowley
Motion: Motion passed as written
Vote: Yes 3, No 0, Abstained 0
Additional Info: Term: July 1, 2017 through June 30, 2018
Original to Greg Robertson, Public Works.

III. CORRESPONDENCE None**IV. DISCUSSION ITEMS**

1. Request board incorporate into the FY18 county budget the recommendations from the Community Assistance Fund (CAF) review committee for grant awards to provide food, shelter, medical services, and emergency transportation to homeless or at-risk populations during fiscal year 2018 contingent upon the availability of funds and the adoption of the FY18 county budget.

V. UPCOMING EVENTS AND INVITATIONS None**VI. OTHER COMMENTS/INSTRUCTIONS** None**Friday, June 30, 2017**

BCC met in regular session; all three present.

Calendar

9:00 a.m. - 9:30 a.m.	BCC - Interview Bonner Mill TIF Industrial District Advisory Board - Mike Heisey
9:30 a.m. - 10:00 a.m.	BCC - Interview Lolo Community Council - Christopher Whiteman
10:15 a.m. - 10:45 a.m.	BCC - Interview Missoula Development Authority - Chuck Keegan
10:45 a.m. - 11:15 a.m.	BCC - Interview-Missoula Development Authority - Jim Valeo
11:30 a.m. - 12:30 p.m.	NR - Intercepts - Erin Kautz
1:00 p.m. - 3:00 p.m.	BCC - Records Center Tour
4:00 p.m. - 5:00 p.m.	DS - Amy Cilimburg

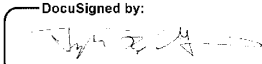
Items for Signature

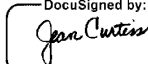
County Payroll Transmittal Sheet – BCC signed. Pay period: 11/CY2017 – Pay Date May 26, 2017. Total payroll \$1,685,218.42. To Barbara Berens, Auditor's Office.

Employee Benefits Claims – BCC signed. Employee Benefits Manual Check Claims dated May 30, 2017. Amount \$107,909.61. To Barbara Berens, Auditor's Office.

Monthly Report – JC examined, approved, and ordered filed the monthly report of Justice Court 1, Judge Marie A. Andersen and Justice Court 2, Judge Landee N. Holloway for the month ending May 31, 2017.

Journal Approval

DocuSigned by:

8849F6776D68405...
Tyler Gernant
Clerk & Recorder

DocuSigned by:

C78299876BC14E8...
Jean Curtiss, Chair
BCC