

PUBLIC MEETING – March 2, 2005

The Public Meeting was called to order at 1:30 p.m. by Chair Jean Curtiss. Also present were Commissioner Barbara Evans, Commissioner Bill Carey, Chief Civil Deputy County Attorney Mike Sehestedt and Information Systems Manager Jim Dolezal.

Pledge of Allegiance

Public Comment

None

Routine Administrative Actions

Commissioner Evans moved that the Board of County Commissioners approve the routine administrative items adopted the past week and approve the weekly claims lists in the amount of \$843,544.06. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Bid Award: Jail Management System (Information Systems/Detention)

Jim Dolezal presented the staff report.

This is a request to award a preliminary contract for the Jail Management System, with final contract negotiations to follow.

Bids were let for a Jail Management Software System. There were five companies responding, with one being disqualified as no Bid Bond was included. A team was put together to view demonstrations by two of the companies. It was unanimously decided that Intellitech would best meet the needs of both IS and the Detention Facility.

The money has been budgeted for this upgrade. The software package will improve on the 20 year old system that is currently being used. It will help keep track of jail bookings, commissary usage, visitations, medical, etc. It will allow staff to keep track of inmates more efficiently. Mug shots will be included with the data for visual identification.

It is the recommendation of both departments to award the preliminary contract to Intellitech Corporation with final negotiations to follow. The negotiations will work out some of the final contract language on how specific parts of the system will function and how minor customization will be handled.

Chair Curtiss opened the public hearing. There being no comments, the public hearing was closed.

Commissioner Carey moved that the Board of County Commissioners approve awarding the bid for the Jail Management System to Intellitech Corporation in the amount of \$146,325.00, contingent on successful negotiations of the remaining issues. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Hearing (Certificate of Survey): Revocation of Agricultural Exemption (Skow)

Mike Sehestedt presented the staff report.

This is a consideration of a request to remove an agricultural covenant from that parcel described as COS 3155, located in the northeast one-quarter of Section 34, Township 12 North, Range 17 West.

Michael James Skow has submitted a request to remove an agricultural covenant from the property described on COS 3155. The current parcel, known as Mom's Place, went through review as a subdivision for lease or rent and was approved by the Board of County Commissioners. One of the conditions of subdivision approval was the agricultural covenant for the property be removed prior to submitting the final plan.

The parcel was created by use of the exemption for parcels created for agricultural use. The exemption requires that the owner enter into a covenant with the governing body that the property not be used for any purpose except agricultural and that no building requiring water or sewer disposal be constructed. The covenant for this parcel was requested by Eugene and Delores Ball and was approved and filed in 1985. Subsequent transfers of title include the following:

Date	Grantor	Grantee
09/17/1986	Eugene and Delores Ball	Marvin Isenhower
10/31/1988	Marvin Isenhower	David Delk
06/22/1990	David Delk	Michael Skow
05/19/1993	Michael Skow	Merry Kaye Jackson and Michael Skow

Chair Curtiss opened the public hearing. There being no comments, the public hearing was closed.

Commissioner Evans moved that the Board of County Commissioners approve the request by Michael Skow to remove the agricultural covenant from the parcel described as COS 3155, located in the northeast one-quarter of Section 34, Township 12 North, Range 17 West. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Hearing (Certificate of Survey): Edwards Family Transfer

Mike Sehestedt presented the staff report.

This is a consideration of a request to use the family transfer exemption to divide the parcel described as Tract A of COS 4308, located in Section 6, Township 13 North, Range 20 West.

Jim Edwards has submitted a request to create four additional parcels using the family transfer exemption to the Montana Subdivision and Platting Act. The current parcel is approximately five acres in size located near Frenchtown, Montana. Jim Edwards proposes to create four approximately one acre parcels for transfer to his son, Austin Edwards (age 13), his son, Brandon Edwards (age 10), his daughter, Jessica Edwards (age 8) and his wife, Melinda Edwards, for residential purposes and keep the remaining approximately one acre parcel for residential purposes as well.

The history of the parcel is as follows: The property was purchased as a 298 acre parcel by Roger C. Hobbs, out of a foreclosure sale. In 1993, Roger Hobbs created this 5 acre parcel by use of the occasional sale exemption to the Montana Subdivision and Platting Act. In August of 1997, Roger Hobbs deeded the entire property to Bi-Lo Foods. In May, 2002, this 5 acre parcel was transferred to Jim and Melinda Edwards, who deeded it to Jim Edwards by Quit Claim Deed filed in September, 2004.

According to the records kept by the Missoula County Surveyor, the applicant has not previously used exemptions to the Subdivision and Platting Act.

Jim Edwards was present and came forward to answer questions.

Chair Curtiss stated the Board is responsible to make sure these exemptions to the Subdivision and Platting Act are legitimate family transfers as the law allows and not an attempt to evade subdivision review. The Deputy County Attorney would ask a series of questions to determine his intention.

Mike Sehestedt asked if it was accurate that he has owned this property since 2002.

Jim Edwards stated he owns Bi-Lo Foods Incorporated, so he actually bought the property in 1997 and deeded this parcel to himself personally in 2002.

Mike Sehestedt asked if he bought the property with the intention of dividing it.

Jim Edwards stated he did not.

Mike Sehestedt asked if any of the transferees had plans to transfer the property within the next year.

Jim Edwards stated they did not.

Mike Sehestedt asked if he understood that a trust must be established for the minor children.

Jim Edwards stated he understood that and his attorney was taking care of it.

Mike Sehestedt asked who the trustee would be when the trust is created.

Jim Edwards stated it would probably be himself or his wife, whatever the attorney recommends.

Mike Sehestedt asked if the property is sold, would the money be held in trust for the children.

Jim Edwards stated the property would be for the children.

Mike Sehestedt asked if he talked to anyone about going through subdivision review for this parcel.

Jim Edwards stated he had not.

Mike Sehestedt asked if he was in the business of building or developing property.

Jim Edwards stated he was not.

Mike Sehestedt asked if he was attempting to evade subdivision review.

Jim Edwards stated he was not.

Mike Sehestedt asked if he understood this request is being reviewed only to determine if he is attempting to evade subdivision review, not for adequate access, provision of services, etc. If this is approved, there is no guarantee that the parcels comply with zoning or are buildable. The risk of all other approvals is his alone.

Jim Edwards stated he understood that.

Mike Sehestedt asked if he understood that approval does not guarantee that this is not in the floodplain or that approval of a septic system can be obtained, or any other approvals necessary.

Jim Edwards stated he understood that.

Mike Sehestedt stated that at the time the Certificate of Survey is filed, it has to be accompanied by deeds to his children, in trust, and his wife.

Jim Edwards stated he understood that.

Chair Curtiss opened the public hearing. There being no comments, the public hearing was closed.

Commissioner Evans moved that the Board of County Commissioners approve the request by Jim Edwards to create four additional parcels by use of the family transfer exemption dividing the parcel described as Tract A of COS 4308, located in Section 6, Township 13 North, Range 20 West, based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Hearing (Certificate of Survey): Sherwood Family Transfer

Mike Sehestedt presented the staff report.

This is a consideration of a request to use the family transfer exemption for Parcel B of COS 5264, located in Section 2, Township 14 North, Range 21 West.

George L. Sherwood has submitted a request to create one parcel using the family transfer exemption to the Montana Subdivision and Platting Act. The current parcel is approximately 2.27 acres in size, located near Frenchtown, Montana. George Sherwood proposes to create one approximately 1.13 acre parcel for transfer to his son, Ryan Sherwood, for residential purposes and keep the remaining approximately 1.14 acre parcel for residential purposes as well.

The history of the parcel is as follows: The Lucier family, who has owned this land for over 35 years, deeded the property in March, 2004, to the Frenchtown Valley View Trailer Park, who then deeded the property to George Sherwood in January, 2005.

According to the records kept by the Missoula County Surveyor, the applicant has not previously used exemptions to the Subdivision and Platting Act.

George Sherwood was present and came forward to answer questions.

Chair Curtiss stated the Board is responsible to make sure these exemptions to the Subdivision and Platting Act are legitimate family transfers as the law allows and not an attempt to evade subdivision review. The Deputy County Attorney would ask a series of questions to determine his intention.

Mike Sehestedt asked if he purchased the property with the intention of dividing it.

George Sherwood stated he did not.

Mike Sehestedt asked if he or his son intend to transfer the property within the next year.

George Sherwood stated he did not. His son is in Iraq. He and wife have always helped their children, they helped their daughter Betsy get her first house. As long as they are financially able, they would like to transfer this property to Ryan so that when he gets home, he will have a place to build. He should hopefully be home in October.

Mike Sehestedt asked what the plans are for development of the property.

George Sherwood stated that Ryan would like to build a house and a shop.

Mike Sehestedt stated that the property would be for him and not for sale.

George Sherwood stated that was correct.

Mike Sehestedt asked if he had talked to anyone about going through subdivision review for this piece of property.

George Sherwood stated that he had spoken with someone, he had thought originally about doing a subdivision. After his son Ryan expressed an interest in the property, he stopped the subdivision process and pursued the family transfer process instead.

Mike Sehestedt asked what the subdivision proposal was.

George Sherwood stated it was for the same division of land.

Mike Sehestedt asked if he was in the business of building or developing property.

George Sherwood stated that he was in the business.

Mike Sehestedt asked if this was an aspect of his business.

George Sherwood stated it was personal, it had nothing to do with his business.

Mike Sehestedt asked if he was attempting to evade subdivision review.

George Sherwood stated that he was not.

Mike Sehestedt asked if he understood the request was not being reviewed for adequate access, including emergency vehicles.

George Sherwood stated he understood that.

Mike Sehestedt asked if he understood this review is not for zoning compliance, floodplain or septic systems or any other regulatory issues.

George Sherwood stated he understood that.

Chair Curtiss asked if there was an existing house on the parcel that he would be retaining.

George Sherwood stated that was correct, it was a rental property.

Chair Curtiss opened the public hearing. There being no comments, the public hearing was closed.

Commissioner Carey moved that the Board of County Commissioners approve the request by George L. Sherwood to divide Parcel B of COS 5264, located in Section 2, Township 14 North, Range 21 West, by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Presentation: Milltown Superfund Site Redevelopment Working Group

Chair Curtiss: Next on the agenda we have a presentation from the Milltown Superfund Site Redevelopment Working Group on what's been going on in the Milltown area. I'd like to point out and thank Russ Forba and Diana Hammer from EPA in Helena for showing up and joining us today. Thanks for coming. And I know that we have some of our congressional folks here, we have Kelly, Helen. So, who's going to do the presentation. Diana.

Diana Hammer: Good afternoon Commissioners. My name's Diana Hammer and I work for the Environmental Protection Agency and I've been asked by the Working Group to begin our presentation and give an outline of what we're all going to talk about. As you probably notice, there's a number of Working Group members here today and many of us have something to say about this process and what we've accomplished. I'll give an introduction. Mary Erickson will talk a little bit about what the Working Group is requesting from you, the County Commissioners. Trent Baker will talk about parks and recreation. Then there will be a trio talking about the history and culture, Judy Matson, Mike Kustudia and Warren Hampton. And then Gary Matson will cover three topics, these are subcommittee topics, infrastructure, land use and community governance. Then following that, we've got some technical support group members here who may wish to make some comments as well as other individual Working Group members. Then we'd be happy to answer any questions you have. I'm going to give you a little overview of history of the Working Group and the idea about forming some sort of Redevelopment Working Group came about in the spring of 2002. If you remember, in 2001, the County put out the Two Rivers Restoration Plan and there was a lot of talk about redevelopment and at EPA and DEQ we were talking about a proposed plan and what kind of cleanup to propose for Milltown and ideas just sort of seemed to gel and we sought some Superfund Redevelopment Initiative funding to the amount of \$40,000 from our EPA headquarters and we were successful in obtaining that money and the idea with the funding was to help communities work toward a future site reuse once the Superfund cleanup is done. We had \$40,000 worth of redevelopment assistance to use and with that, it sort of served as a catalyst to get a Redevelopment Working Group formed for the Milltown and Bonner area. The first step was to form a steering committee. That formed in 2002, soon after we got the funding. That group put together an application, based pretty much on the Fort Missoula process, put together an application. The steering committee reviewed the applications and made some recommendation to you and then in May of 2003, you sent out letters and appointed the group, I guess it was in July, 2003, you appointed the Working Group members and in September of 2003, we had our first Working Group meeting. The Working Group is comprised of about 20 people representing diverse interests, as you can see, represented with the various topics of the subcommittee. Some folks live right around the Milltown Reservoir, in Bonner, Milltown, West Riverside, Piltzville or some come from the larger community. Over the past year and a half this group has worked very hard to come up with a set of initial recommendations and in January we held two Open Houses, one in Bonner and one in Missoula, where we took public comment on these initial conceptual redevelopment ideas. We had a lot of really interesting public comment, a lot of support and we reviewed those comments, made some changes to the recommendations and summarized and developed this report that you've received and I think all the Working Group members have a copy as well. I also wanted to mention that this work group took a lot of care in developing a vision for the communities of Bonner and Milltown and on Page 5 of the report, you can read the vision and the guiding principles, but, the group really has a real vibrant vision toward the area once the Superfund cleanup is done. We see a real opportunity here to integrate the clean up, the remediation with the restoration and with the redevelopment, all working together. From the EPA's perspective, it's very helpful to have sort of a clear community voice. There's never one voice in a community, but this group is very broadly representative and for us, it's quite an opportunity from this group what they see as the vision for this area in the future. The more we know about the end use of that area, the better we can tailor our cleanup and then the restoration work to meet that end use. This group is very valuable and been a pleasure to work with and we're quite impressed with the amount of work and the work products that the group has come up with in a very short time. In summary, the group has met approximately every month since the Fall of 2003 and in that short time they developed initial recommendations, they held the Open Houses, they submitted this draft report and it's taken a lot of energy, mental energy and a lot of creative and smart thinking and a lot of pizza, we ate a lot of pizza. EPA applauds each and every one, and you as well, for all the support you've given in terms of County staff and your support in getting the Working Group started in the first place. Having your support behind the group lends a lot of legitimacy to the group and gives us a stronger voice. We appreciate that. We look forward to working with the group in the future and I think the group has articulated a pretty clear vision of what they'd like to see happen and at EPA, we'd like to do whatever we can to help the community realize that vision. With that, I'll turn it over to Mary and she'll continue with our presentation.

Mary Erickson: I'm Mary Erickson, I'm a member of the Milltown community. My husband and I live approximately 3/4 of a mile above the reservoir. I guess I'm the tourism representative on the Working Group Board as a Board member of the Convention and Visitors Bureau here in Missoula and Sales Director at a local hotel and someone who has a viable interest in the tourism aspects of a project like this. I'd like to thank you for the opportunity you've given me, and I'm sure most of the other members of the Working Group will agree, the opportunity to participate in this group, because it's been a fascinating process, it's been an awesome responsibility and it's not one we have taken lightly. It's something we have given a great deal of importance to. As a group, we'd like to thank Ginny Tribe, Warren Hampton, Gary, Chris, Jennie Meinershagen and Kent Watson for not only helping us to articulate the ideas that we were coming up with, but to give us a vision to that plan, also, it's a process we could not have gone through without them. From you we ask that you continue to formally recognize this group because we're not ready to quit working. We're pretty fired up and inspired by this project and I'd say, pretty dedicated to seeing it through to the next step, if you're willing to allow us to do that. With that in mind, we're asking you to lend to us the additional support of Peter Nielsen's time, who's been invaluable to the group and to the whole project, and that you formally request of the EPA that they continue their support of this group also. There are several vacancies on the Working Group committee at this point in time, various people that have left the area and so there are vacancies. We would ask that you give consideration to filling those vacancies. We have had some interest from the community, people who've asked to be part of the group. If you'd like to see that list, we certainly can provide it. We're asking you to work with the group to help seek and secure funding for various aspects of the plan. We request that, hopefully after you've seen what we present, you adopt the proposed plan and take the first step toward forming a Community Council, of sorts, in the Bonner/Milltown area. We would appreciate it if you would then forward the plan, with your approval, to Montana's Congressional Delegation, Missoula's Legislative Delegation, the EPA, the State of Montana, the Confederated Salish and Kootenai Tribes, the U.S. Fish and Wildlife Service, ARCO, Envirocon and NorthWestern Energy with your seal of approval. We would be most appreciative of that. And with that, I will ask Trent to present to you our recreation portion, try to overlook the fact that he has a cast on his leg, it has nothing to do with river bottom recreation.

Trent Baker: I'd first like to thank Mary for the introduction and thank you, Commissioners, for the opportunity, as Mary said, to serve on this group that has been terrific. I personally would like to thank all of the group members and the staff as well, it's been both an honor and a pleasure to serve with all of you on this group and it's certainly something that I'll never forget. My name is Trent Baker and I'm a resident of Missoula and a member of the Working Group. I was also asked to be chair of the recreation subcommittee that was formed to focus on recommendations regarding recreational use of this site after the remediation and restoration are complete. In order to do that, first, outlined what we considered to be our guiding principles in setting forth these recreational recommendations. That poster there shows what they are and generally speaking, it was first and foremost that there be free and open public access to all of this, that there be compatibility among the recreational uses that we anticipate and compatibility with the other uses of the area and that foremost, we seek preservation of the natural setting of the area and also that our recommendations have a positive economic impact or the potential for a positive economic impact and that we wanted to make sure that our recommendations were environmentally sound and sustainable and also that the distribution and density of usage of the site was appropriate. Finally, we wanted to really focus on community and family oriented activities with real emphasis on educational opportunities out there at the site. With that in mind, we came up with some key guidelines for recreational development. That's the poster that Mary's setting up there now. Primary among those were that the lands associated with the site, the NorthWestern lands, be transferred into public ownership as a part of this project and that the lands be designated and managed as either a State or County park. We'd like to see a trust fund set up that would provide for the long term maintenance and support of the site and the facilities, and again that the site would be free and open for public access and that the majority of the area would be preserved in its natural setting and wildlife habitat protected, while more intensive and developed uses be in an area around the confluence and the Interpretive Center at the west end of the park. Then, what I thought I'd do is run through the different aspects of the recreational recommendations that we made. I think the most extensive recommendations, and probably the most exciting in terms of the amount of public feedback that we got, were trail connections and that was something that we noticed at our Open Houses that was very important to the public and I think is probably one of the primary, beneficial uses or opportunities out at this site and that includes trail connections with the existing trails like the Kim Williams trail and the potential extension of that around Bandmann Flats with a cutoff through or along that railroad grade area to the existing trail. Also connection with the trail that goes up, there's an existing multi-use trail that goes up toward Turah and the Turah Fishing Access from the Milltown area and we'd like to see connection established with that. Connection with the Duck Bridge site, Black Bridge site and also possible construction of a new bridge near the confluence, or just below the confluence, kind of at the Interpretive Center. So the trails were a big deal for us and something that we focused a lot of time and energy on and you'll see in the report that we prioritized our recommendations and the trails received fairly high priority among those. We wanted to make sure that these trails were multi-use trails and we anticipated equestrian use primarily being focused in the area of the Sheriff's Posse equestrian area that exists now and that we also wanted to provide some ADA or handicapped access type of trails in the area as well, particularly around the Community Center and the Interpretive Center. Other aspects that we looked at of recreational uses

were fishing, boating, hunting, equestrian, and winter uses. I'll run through those and hit the high points of each of those briefly. As to fishing, one of the recommendations was that use be limited to non-motorized craft, that there be no commercial use limits imposed at this time and that we do some work with existing and new accesses, both with trailer and ramp access and then also, less developed walk in type of accesses. Talking about ramp type accesses at the weigh station, which is the existing access upstream on the Blackfoot and the Sha-Ron access which is downstream near East Missoula and then also at the Black Bridge on the Blackfoot, right there in Milltown. As to the carry in accesses, we talked about something near the Interpretive Center and then also in an area that we've been referring to as the Community Park which is up near the Sheriff's Posse where that caboose park is right now. We also talked about wanting to provide some ADA or handicapped accessible fishing accesses in the Blackfoot Community Park area. On the swimming use, we thought that it would be appropriate to provide one or two beaches along these lower, deeper reaches of both of these streams that would allow safe family swimming type areas and that these swimming areas would be in higher use areas adjacent to the carry in boat areas with picnic, restroom and possibly pavilion type facilities at one or two of those. As to boating, again, we talked about non-motorized craft limitation and no commercial use regulation at this time. One of the things that received a lot of comments from the community at the Open Houses and also a lot of excitement from the group, was the design of these drop structures that are being proposed as a part of the restoration, and that these drop structures be designed in as natural and safe a manner as possible to allow passage by all different types of water craft, including inner-tubers, I suppose, and that these be designed in such a way to the extent possible that they maximize the functionality as a whitewater type of recreational amenity, and I think that's in keeping with the Two Rivers Restoration Plan that the County initially proposed and that certainly wasn't a concept that was abandoned by this group. If anything, it was, I guess, kind of consumed by a broader vision for the area that encompassed uses broader than just that. So we'd like to see a river recreational engineer engaged to consult with the entities that are proposing and constructing these drop structures to make sure that that type of whitewater recreational use would be compatible with what they're putting in there. We'd also like to ensure that the bank design would anticipate concentrated use by boaters and spectators at the access points and near these rapids. As to hunting and wildlife watching, we wanted to suggest that hunting be consistent with current regulations along the upper Clark Fork, but disallowed in the higher use areas around the confluence and the Interpretive Center. We want to limit trail access into critical wildlife habitats and nesting areas and then also provide interpretive signs and viewing blinds for wildlife in some of those bottom land area. As to winter recreational opportunities, we talked about cross country ski trails and the possibility of collaborating with groups like the Nordic Club in Missoula to groom those and provide a recreational benefit for cross country skiers in the winter. We also talked about establishment of a skating pond in one of these wetlands areas. There's talk of creating some ponds anyway and we talked about putting something like that, maybe a warming hut and some lighting in one of those to have it specifically designated for use as a skating pond for the community. And then, finally as to equestrian use, again, the Sheriff's Posse, which owns some of the land in the Community Park area has talked about an equestrian center and we wanted to propose that, or we wanted to recommend that the uses be compatible with something like that and one of the things that that group would like to see in the future is the possibility of connections, trail connections with the Pattee Canyon/Deer Creek area and on up the Clark Fork and we thought that that would certainly be something worth exploring. And in a nut shell, I think those are the bulk of the recreational subcommittee's recommendations regarding the site and at the end of the hearing, I'd certainly be happy to answer questions.

Judy Matson: I'd like to thank you so much for giving us the opportunity to be here and for having the vision to set this whole thing in motion, it has been a fantastic experience. My name is Judy Matson, I'm a long time resident of West Riverside. The area of interest that I came to the Working Group with, in addition to the others, was the history component, so I was, along with Michael Kustudia and Warren Hampton, who joined our group later, privileged to serve on the committee that looked at the heritage and culture of our area, which is a very rich topic indeed. Basically, what we'll do this afternoon is revisit 13,000 years in about 5 minutes. What we're hoping is, and proposing for an outcome of our development, redevelopment at the confluence, that there be an Interpretive Center located within this top notch park complex that Trent just described to you. We see in the confluence of two rivers, the Blackfoot and the Clark Fork, the remarkable story of a place, in fact, it's many stories and we have some posters here indicating what some of those are. It began 13,000 years ago when Glacial Lake Missoula drained through the confluence in a huge flood, which has shaped the whole Western United States, and then it continued as the explorers came through. We had Meriwether Lewis at the confluence on his return trip. We had the John Mullan expedition that camped here as they were building the road opening up the west to transportation. Previous to that, I should not overlook the extreme importance that the area has to our Native Americans, who followed several times a year, the road to the buffalo, making long journeys and camping at the confluence area. There are at least four archeological sites which have been identified there as well. Then, of course, the lumber and the tradition that we had with the mines in Butte caught the attention of entrepreneurs and we entered the era of the lumbering at our area. The Big Blackfoot Milling Company and its legacy is the Anaconda Company and then gradually, as it came on down the line, Champion International and now Stimpson. Additionally, the Western Lumber Company and the construction of the Milltown Dam, which is the focal point of why we actually ended up here. All of the rich, interesting stories of people who came then to work in the lumbering industry and have stayed

and become integral parts of our community, from the workers themselves to artists such as Walter Hook and a business in my neighborhood, West Riverside, ran a knife shop which today still is in its third generation of preparing excellent knives in the Finnish tradition just as Rudy Ruana brought it to the area years ago. And then perhaps one of the most exciting areas of the history is yet to come, as we're working on it right now along with you and EPA and the trustees, and that of course, is remediation and restoration of this whole area, which is of epic historic proportions actually, to think that an environmental insult is going to be corrected and then a river restored to a natural river design is something that could have five or six interpretive centers around it, I'm sure. We have chosen the word Interpretive Center for a good reason instead of Visitor's Center, because we hope that what would be constructed at the confluence will actually draw people to experience the confluence and all of the historical things that have happened there. So, interpret means understanding, translating and explaining and as we went forward with our process, we began to think that this is actually where we should go. I'm thinking that Mike is right here and one of the charges that you gave us, very wisely, was, well the dreams are wonderful, the visions are outstanding, how can this possibly be brought to bear. And so, in our committee, we did consider those things and Mike is going to tell you the next part, is how could we do this considering all these great opportunities.

Michael Kustudia: My name is Michael Kustudia and I'm a resident of Missoula and a representative of the Clark Fork River Technical Assistance Committee and a member of the Working Group. The Interpretive Center idea excites me for a number of reasons, one is the story of the cleanup itself, I think, is going to be a story of national import, and I think it will be one that could serve as an economic draw for a little place like Milltown. The history itself is also very important, to me personally just because I have roots in that area that go back four generations and I think it's important for communities to capture their own history. But as I mention, there is an economic reason to capture that history as well. The Montana Tourism and Recreation Strategic Plan for 2003-2007 notes that tourism is a \$1.7 billion a year industry in Montana, it's our second largest industry. Among tourist, 65% of them take in cultural and heritage sites, which this would be a top notch example of. We've begun to look at different sources of possible funding and they range from Congressional appropriations to foundations to possibly NRDP monies that could tell parts of that story, in particular, the story of the cleanup itself. So, our recommendation is to develop an Interpretive Center, one that could interpret, educated the visitor on the rich human and natural history of the region and the building and then the story of the dam removal itself. I think that the center would be in many ways unique because it's telling a story of a community's industrial heritage and the consequences of it, but also the restoration and environmental success story that this will become. Warren Hampton is with us this afternoon as well to talk about the actual building itself, which is very exciting, and I think, with that, I am probably going to turn it over to Warren.

Warren Hampton: I'm Warren Hampton. I'm an architect and resident of Turah. I was brought into the process back last year when the group decided that it was time to get some visual ideas brought together to give some representations of the ideas that they have been working on and I really came in at a really interesting time. I think the group had become very cohesive in their direction and their understanding of the project and so I guess I come up looking rather good that I was able to make a vision out of this and it's really the group themselves that have proposed these ideas. I don't want to speak a lot about the building, I think all of you, at least Jean and Barbara, have seen the presentation, have seen a lot of the background on schematics and in particular, I would direct you to the Two Rivers Interpretive Center program, which I believe is part of your report in the back, it lists some of the actual goals for this project and Judy mentioned one of them, to create a facility to record, interpret and educate the visitor on the rich human and natural history of the area, that's really what this is all about. This facility is really, we thought about it, I thought about it, is really kind of a non-building. It's really part of an experience of the confluence that requires less of a structure and more of a way of viewing, really a viewing platform of the confluence. So, this building is really built into the side of the escarpment there and when you arrive at the Interpretive Center, you actually arrive on the roof and you look out and you will see this wonderful setting that has resulted in the dam and now the removal of it, but you will also begin to experience the wonderful history and aesthetic of the area and only then do you actually go into the building and see the exhibits. There are classrooms inside, there's a gift shop, the plan is to reuse a lot of the historic elements that are present in the old powerhouse and actually make that part of both the indoor exhibit and outdoor exhibit. So, if you were to think of this Interpretive Center really as a viewing platform, that's more of what it is, it's more of a landscape solution than it is creating another physical man-made presence on that site. I have sort of, kind of championing, I guess, an individual that had a lot of influence in the Missoula area and his pictures are hanging downstairs, Walter Hook was a resident throughout the Milltown and has done some very wonderful interpretations of what the Bonner/Milltown area is all about in terms of the lumber industry and somehow I think this Interpretive Center can bring together some of those cultural ideas. I wanted to point out one image in this book that the Missoula Art Museum put together some years ago I believe, Walter Hook's last painting is this painting of looking across the Blackfoot at Milltown and if you go out there now, you'll actually see those same buildings, same houses sitting there, so I think there's an opportunity here to really talk about the history, Milltown/Bonner area. I grew up in the Turah area and I'm very interested in seeing that happen. Lastly, I think if you have any questions later on, I'd be glad to answer those. Gary Matson is going to talk a little bit more maybe about some of the more esoteric items, but I'll turn it over to Gary.

Gary Matson: My name is Gary Matson, I'm a resident of West Riverside and have served on the Steering Committee and Working Group. We've operated a business in that community for a long time and raised our family there and I served on the Governance Subcommittee and our task was to identify possible forms of governance that might work for the community. So, we rejected monarchy right away, dictatorship didn't last very long either and almost as quickly, incorporation went, because of the duplication of cost and things like that. So, we settled on a Community Council and the benefits of that, the strength of the Community Council is it would for the first time bring a representative voice to the Commissioners, you would know who you were hearing from because they were elected people and they were elected to represent the community. That would be one strength. Another would be its flexibility. The Council could choose to foster, encourage 501(c)(3), special improvement districts, things like that, that would help bring about some of the things that we want to see happen out there. What we focused on from the beginning is bringing about, encouraging things that were respectful of the existing community and not developing something that was out of character with what had happened there before. The Council could be a tool to bring some of those things into focus for residents. The weaknesses of a Community Council I think you already know, but one is it's just advisory so it can't really make regulations and laws on its own. It also involves a number of people working together and if they don't function well together, the Community Council won't function and so, of course, you don't have any guarantee that the group that you'll come up with is going to work cooperatively together. That basically, in essence, is what we talked about with governance and as others have said, we ask the Commissioners to take the next step to get that started. The other subcommittee that couldn't be here today, one was land use and I guess that translates to zoning and no wonder that they didn't come, zoning is not a popular subject, and of course I'm kidding and I know they would have loved to have been here if they could have been. But, the land use subcommittee's recommendation was that current existing land use regulations and policies be reviewed as a first priority and then selections made from those based on community input that would be most beneficial to this restoration and to the community. In other words, land use is a priority of what we would think the Community Council would do if it was to come into existence. Other things that they talked about in land use was the need to enhance the restoration by things that would be encouraged to be developed there. There will be some parking access problems and road access problems, things like that, and the land use recommendation was to encourage land acquisition, greenway development, setback requirements, those kinds of things that would be consistent with the land use and the site. The infrastructure subcommittee summary would be that a sewer would be needed in the area. This is going to bring about considerable development, very likely it will be a powerful stimulus for that and the sewer is going to come, everybody has known that this is going to happen for a long time and they know it's coming, so it's time to get about that. There was a feeling that the sewer shouldn't be facilitated before we knew what kind of land use we had in place, land use regulations, because if it was, it would cause development that may occur in ways that we prefer not, so we had the sense that if we could first get a good idea for what we wanted to see there and then bring in the sewer, we would have better control over the resulting subdivision. I mentioned road access, parking, pedestrian needs, that were also infrastructural. And that pretty much summarizes that and I guess I'd like to add my voice to the chorus of thanks to the Commissioners. We've really appreciated the times that you've come out and met with us and have very much appreciated your support through this whole process. It's wonderful to think of a cooperative venture between EPA and the County that has had this kind of a product. So I thank EPA also and it has been a pleasure and thank you for the opportunity to serve.

Chair Curtiss: Gary, I have one question for you. Do you know, since you've been doing all the research, what the timeline is if the Commission agreed with your idea for a Community Council. I believe that the community has to vote on that. Is there time this year? When does it have to be on the ballot?

Gary Matson: I think it's just the first opportunity, I believe that would be this spring, maybe Mike knows more about that.

Chair Curtiss: I just want to know how close we are to the next elections.

Mike Sehestedt: Typically, we need 75 days prior to the election to put the question on the ballot. Since, actually putting Community Council to a vote is discretionary with the Commissioners, we might be able, I would need to talk with Elections before I committed them to any sort of lesser timeframe. It would be kind of a two step process. One, a vote whether or not to create the Community Council and then second, an election for the first members of the Board. It might be possible, if the community votes for it, the Commissioners to appoint and then replacements to be elected. I think we've got a lot of discretion, but it's one of those things, you kind of need to find out how the community want to go before you start jumping off with splendid ideas.

Chair Curtiss: We'd have to define the area it represented.

Gary Matson: Well, as I understood the process, the first part was as Mike said, to get the community's approval that that's in fact what they want and then the next step would be for the Commissioners to appoint members of the Council. After they have served a length of time until the next election, then the Council members would be elected.

Mike Sehestedt: Right, typically we run these elections in conjunction with the School Election in May just because it works out. That closes right in on us. Again, traditionally, we've used School District boundaries to establish the boundaries for Community Council, again, nothing particularly sacred or even required about that, but it's real practical because we have the voters grouped that way already. It's something to look at here because of the proximity of both the Clinton School District boundaries upstream and I'm not entirely clear in my own mind where the Missoula County Public Schools and Bonner School boundary is as you come in.

Chair Curtiss: Bandmann Flats is in Missoula.

Mike Sehestedt: I'm not sure, on the other side of the river, where the line is.

Gary Matson: It's from the area down the hill on the lower side of Brickyard Hill go to Bonner School, and Marshall Grade.

Mike Sehestedt: We can look at what appropriate boundaries are for a Community Council, then probably, as long as we work it by precincts, we don't need to be religious about following school district boundaries.

Chair Curtiss: I was just curious as to whether there'd be time this year and there might not be.

Mike Sehestedt: The other thing is, you could always have a special and I'm thinking the September/November is just City, so it wouldn't help us a bit.

Gary Weiner: Hi, my name's Gary Weiner and I work for the Rivers and Trails Program with the National Park Service. We provide planning and design assistance to communities outside of the National Parks that are doing recreation and natural resource conservation projects. About two years ago the County asked me to assist with the redevelopment effort and that's what I've been doing since late 2002. I've worked on about a dozen similar projects in the State of Montana and I'd have to say that this project is probably one of the more successful of the bunch and I say that because, you know, from a group of 20 people with very diverse interests coming together and in just a year and half they have done very, very well at defining a vision and a set of goals and a set of principles that they all could agree on and reaching consensus on a conceptual plan that's reasonable, very detailed, particularly in the recreation and history and cultural elements, and is very implementable, should you decide to go forward with it. Communities all across the country, I'm sure you know, are doing a lot now in developing parks and trails and restoring rivers and it's not just about recreation, there are so many benefits to all of these things, including transportation benefits, health benefits and safety benefits, tourism, habitat, and all these things lead to a greater quality of life for local residents and what people have been finding and what studies have been finding recently is that this translates directly, in many cases, to improved economic development for the communities, and the reason, of course, is that people and businesses are footloose these days, more so than ever before and free to move where ever they want to and they're choosing places that are beautiful and desirable to live and these things are tremendous attractors to them. Toward this end, I think the Working Group has done a tremendous job of creating a conceptual plan that's right on the mark in addressing all of these attractants and making or creating a plan and a vision that can create many more benefits for the area. I'd also like to compliment the County on the quality of the staff that you've assigned to this project. Peter Nielsen's expertise and style is just absolutely key in guiding the community to this point that they've reached in developing a very successful plan. That's all I wanted to say. Great job and I'd urge your adoption of the hard work that they've done and quick action on the recommendations that they've put before you. Thank you.

Chris Lorentz: My name's Chris Lorentz, I'm Recreation Manager for Fish, Wildlife and Parks for the Blackfoot. I kind of came into this process mid-stream. They were looking for a technical advisor for a little assistance with the concept of the Interpretive Center and what are we in for with water-based recreation that is coming. I had a wonderful time working with this committee, hope to continue. They have a very positive attitude. It has been a very good experience for me. I'm not actually in position to commit for the State of Montana as far as taking this on as a State park or not, but in concept, Fish, Wildlife and Parks likes where we're going. I know for a fact that we are intertwined with this project whether we choose to be or not. In the conceptual plan, several of the access sites that are referenced in here are sites that we already manage and whatever happens at Milltown will have ramifications both at those specific recreation sites and on both the Clark Fork and Blackfoot Rivers, so, we're in the game. As far as taking it on as a State park, I've been talking to make sure that we put in the caveat we would need some operations and maintenance for personnel to take care of a facility of this magnitude. It's a good project.

Chair Curtiss: Are you one of the ones that gets to move the fish in the buckets.

Chris Lorentz: I've gotten to see them do it, I'm hiding. Actually, the fisheries guys are very good and they do a wonderful education program with their "Adopt a Trout" telemetry tracking and the fishery in the Blackfoot and the Clark Fork will be hugely benefited by free passage upstream. Any questions.

Warren Hampton: Warren Hampton again. I wanted to point out just a couple of things that have come up. There have been questions about why we're not looking at a Community Center. We've received some public comment about that and it's our contention and I guess, maybe mine, that a Community Center needs to be in the community and the community of Bonner/Milltown/West Riverside is much more, close to the historic center of Milltown than it is to the dam site, which has access with some vehicular access problems. The last one is that it really is, and the question then would be, okay, move the Interpretive Center to the center of the community. But this experience of the confluence is so tied to being on the site, you have to be immersed in that experience for that to work and if you consider that if the Mount St. Helens Visitor's Center Interpretive Center was in Olympia, Washington, you'd certainly have a different kind of experience there, so I just wanted to bring those two factors up. Thank you.

Chair Curtiss: Thank you Warren. Any one else who would like to make comments? I know there are others here who are part of the Working Group, if you could just raise your hand so we could thank you. Alright, thanks, it's been a great group. I see Russ Forba is here. Russ, did you have anything you'd like to say about the whole process, we appreciate all your support.

Russ Forba: I'm Russ Forba with EPA, I'm project manager on the remedial end on the project and we plan to get to work on this project. We'd like to get some of our construction activities going, actually, later this year, for the draw down, we have, as you know, several processes we have to go through. A record decision was issued in December, that was a big step. We still have our consent decree that we're negotiating with the trustees, the State and, of course, ARCO and NorthWestern that we have to get through, that's a very arduous process, but we expect to get that done in the next couple months, and we also have, of course, there's FERC, Federal Energy Regulatory Commission, process going on as well. Once we get through those processes, we'll start to begin work. I want to thank this redevelopment group and of course, Diana from EPA, she took a lot of load off me to be involved and she's real good at it, and all the other members, to be able to have a cooperative vision helps the whole process with remediation and restoration and what the final land use is going to be. It was very, very helpful and again, urge you to adopt the recommendations of this group. Questions?

Chair Curtiss: Thanks Russ. I see Mr. Mahlum there and I know he has a little interest in this.

Commissioner Evans: Before Dale begins, I'd like to ask Russ and Diana to take a message home to John Wardell. Would you tell him how much we appreciate all the work he has done, unseen, behind the scenes, to get this done. Thank you.

Dale Mahlum: For the record, my name is Dale Mahlum and I am a resident of Missoula, I live north of town. I guess some of the things that I would like to portray to the Commissioners and the staff and to the people is the immense thanks to Chairlady Curtiss, Commissioner Carey, Commissioner Evans, because without your foresight, without your determination and your dedication, this would not have gotten done. It's so important that we have something in a community that can be done like this, together, and if you three people wouldn't have said to the Working Group, come, let us put our arms around one another and let's see if we can get this done, and what you did is you involved the EPA, which is very, very important, because if you didn't have that, this would have never been done at all. And the other thing that was really kind of important is when we had Governor Martz on board with this to say, well we think we should take the dam out.

Commissioner Evans: I kind of think you take credit for that.

Chair Curtiss: We thank you for that one.

Dale Mahlum: It was very important that this happened, but the whole thing about is, look at the community spirit that you three people up here and we can't leave Mike Sehestedt out of it, and Patty, you had something to do with it.

Mike Sehestedt: I was here, Dale. I was here when the sun came up too, but I had very little to do with it.

Dale Mahlum: In all seriousness, the thanks go to you and the thanks go to the Working Group, the people of the community that made it happen. Thank you.

Commissioner Evans: Thank you for your part in it, sir, you're not taking enough credit yourself.

Chair Curtiss: And I think probably the two people sitting in this room that we need to really thank are Barbara and Peter, who have been here from the beginning knowing that this needed to be done. Anybody else who would like to make comments. On behalf of the Commission, I thank the Working Group and the technical assistance people for a nice presentation today. Thank all of you for coming.

Mike Sehestedt: So will you consider forwarding your recommendations when appropriate. I see we're not scheduled to action today.

Chair Curtiss: Right, we didn't have action on our agenda, so we will review all these and see how many of them we can do when.

There being no further business to come before the Board, the Commissioners were in recess at 2:45 p.m.