

OPUBLIC MEETING – December 14, 2005

The Public Meeting was called to order at 1:30 p.m. by Chair Jean Curtiss. Also present were Commissioner Bill Carey, Commissioner Barbara Evans, Assistant Public Works Director Chuck Wright and Deputy County Attorney Colleen Dowdall.

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 list in the amount of \$270,555.80. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Decision: Petition to Abandon Road Plat Book 1 Road – west of Highway 10, south of Pulp Mill Road

This is a petition to abandon a portion of that certain County road specifically described as:

Road Plat Book 1 Road, located in the northwest one-quarter of Section 20, Township 14 North, Range 20 West. From: North/East boundary of Tract 1, COS 3901. To: South through all of Tract 1, COS 3901 and continuing South to North line of that portion of same Book 1 Road vacated by Resolution Number 91-204.

And further described in the Road Book of the Missoula County Department of Public Works Surveying Division and shown on the attached Exhibit as:

Road Plat Book 1, Page 48, Sheet 118, shows a road crossing the W 1/2 of Section 20 in a North-South direction. There is no petition information. Neither GLO plat or GLO notes (W.H. Baker, 1870) show or mention the road – see approximated road location on attached Exhibit A.

The reasons for the request are as follows:

1. The road does not physically exist and as shown by Missoula County records, it would pass through Fife's house.
2. Fife's are subdivision their property and Missoula County Public Works recommends they abandon the "old county road."
3. The roads are not needed. Existing US Highway 10 provides all the public access needed in this immediate area and portions of this road have been vacated south of this property as per Resolution Number 91-024, recorded in Micro Book 326, Page 779.

The following landowners have been notified: David E. and Wendy Lou Fife, Stanford G. and Marjorie A. Lucier.

The Public Hearing on this matter was held on Wednesday, December 7, 2005. The site inspection was conducted by Commissioner Jean Curtiss and Assistant Public Works Director Chuck Wright on Friday, December 9, 2005.

Chuck Wright: My name is Charlie (Chuck) Wright and I work for the Missoula County Surveyor's Office. Jean, as she stated, and I visited the area, we looked at that particular area and we discussed it and I had no problems whatsoever and we decided that the abandonment is in the public's best interest.

Chair Curtiss: I agree with Charlie that it's a right-of-way that's not being used right now and doesn't seem like it has a use for the future. Is there anyone else who would like to make any comments on the abandonment before we make a decision? So, I'll officially close the hearing that we opened last week and take a motion.

Commissioner Evans moved that the Board of County Commissioners approve the petition to abandon a portion of a Road Plat Book 1 Road, located west of Highway 10, south of Pulp Mill Road, as described in the petition. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Hearing (Certificate of Survey): Steadele Family Transfer

Colleen Dowdall presented the staff report.

This is a consideration of a request to create a family transfer parcel for that parcel described as Tract 55-B-1 of Certificate of Survey 5697, located in the southeast one-quarter of Section 17, Township 14 North, Range 20 West.

Stephen G. and Dawn R. Steadele have submitted a request to create one parcel using the family transfer exemption to the Montana Subdivision and Platting Act. The current parcel is approximately 6.62 acres in size located near Missoula, Montana. Stephen and Dawn Steadele propose to create one approximately three acre parcel for transfer to their daughter, Melissa Steadele, for residential purposes and keep the remaining approximately three plus (3.62) acre parcel for residential purposes as well.

The history of the parcel is as follows: COS 1925 was filed in April 1979, all 62 tracts being in excess of 20 acres and did not constitute a subdivision. COS 4865 was filed in November, 1998, for the purpose of a single gift or sale, creating Tract 55-B. A Quit Claim Deed was filed in November, 1998, deeding Tract 55-B to Darla Bartholomew. Darla filed a Quit Claim Deed deeding the tract to Daryl M. Holzer. Daryl Holzer filed a Warranty Deed in 2003, deeding the Tract to Richard Stratton. Mr. Stratton filed a Warranty Deed in June, 2005, deeding the property to Stephen and Dawn Steadele.

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

Chair Curtiss: If you could state your names for the record, and then we have some questions that we'll ask you on the record.

Steven and Dawn Steadele were present to answer questions.

Chair Curtiss: Mr. and Mrs. Steadele, we'll have Colleen ask you questions on the record that we need to make a decision.

Colleen Dowdall: The records I looked at indicated that you've owned the property since June, 2005. Is that correct?

Steven Steadele: That's correct.

Colleen Dowdall: Did you buy the property with the intent of dividing it?

Steven Steadele: No, not really, maybe in about 5 or 10 years, but we just found out in late August that our daughter's going to get married in January.

Colleen Dowdall: Do you intend to transfer the property, or does she intend to transfer the property, within the next year?

Steven Steadele: I don't know.

Colleen Dowdall: Are you intending to develop the property?

Steven Steadele: The piece that we're going to live on, yeah, we're going to put a house on it.

Colleen Dowdall: So, no one lives on the property right now?

Steven Steadele: No, it's just a big parcel.

Colleen Dowdall: Okay. And is your daughter going to live on her parcel?

Steven Steadele: I'm not sure.

Dawn Steadele: Not right away, I don't think.

Colleen Dowdall: Can you tell me where she lives now?

Steven Steadele: She's in Seattle right now.

Dawn Steadele: She's in the Everett area.

Colleen Dowdall: Have you talked to anyone at Missoula County about going through subdivision review to divide this parcel?

Steven Steadele: Just briefly and it seems really complicated and then I started asking around and I went to some surveyors and they said I could try this.

Colleen Dowdall: Okay, to divide it in order to transfer to your daughter?

Steven Steadele: They told me it would be quicker rather than going through the other process since she's getting married in January.

Colleen Dowdall: Okay. Are you in the business of building houses or developing property?

Steven Steadele: No.

Colleen Dowdall: Are you attempting to evade the Subdivision and Platting Act?

Steven Steadele: I don't know what the difference is between doing it this way and the other way. No.

Commissioner Evans: One's avoiding, the other one's evading.

Steven Steadele: One avoiding – fine!

Colleen Dowdall: Then these are nosey questions. Do you understand that evasion of the Subdivision and Platting Act is a misdemeanor?

Steven Steadele: No I did not.

Colleen Dowdall: Do you understand that we are reviewing this request to divide your land but only for purposes of the division and not to determine whether there's adequate access or whether the roads are good or anything like that?

Steven Steadele: Yeah.

Colleen Dowdall: And that this does not – if you divide this property, it does not give you approval for anything else, it doesn't mean that it's developable, necessarily, you still have to get septic permits, inquire into the floodplain, zoning compliance, anything like that? This is just permission to divide the land.

Steven Steadele: Oh, sure, yeah. Right.

Commissioner Evans: Did anyone explain to you what all this is about?

Colleen Dowdall: I think Karol has talked to them at length.

Commissioner Evans: What we have to do. The reason you're being asked these nosey questions is to determine whether or not you are trying to evade the Subdivision Act. That's why we have to ask.

Steven Steadele: We're just going to split the property in half.

Commissioner Evans: That's fine.

Chair Curtiss: Your questions to the Planning Office were still to divide the property so you could give part to your daughter, they weren't to sell it to the neighbor, build a couple of houses and sell them?

Steven Steadele: No, there's only two good building flats on the whole place.

Chair Curtiss: But your goal was always to give one piece to your daughter?

Steven Steadele: Not originally, no.

Dawn Steadele: We just found out in August that she was going to be getting married.

Chair Curtiss: So this is your gift?

Steven and Dawn Steadele nodded affirmatively.

Chair Curtiss: Any other questions? This is a public hearing, I'll open it for comment from anyone else or if you folks have anything you'd like to add? Anyone else that would like to make comment about this transfer of property to their daughter? Okay. I'll close the hearing.

Commissioner Evans moved that the Board of County Commissioners approve the request by Stephen G. and Dawn R. Steadele to create one parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Chair Curtiss: You'll get a letter from our office within the next few weeks saying that this has been approved.

Hearing (Certificate of Survey): Nichols Family Transfer

Colleen Dowdall presented the staff report.

This is a consideration of a request to create a family transfer parcel for that parcel described as Tract C of COS 1418, located in Section 7, Township 15 North, Range 22 West.

Jack Nichols 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 20.44 acres in size located near Huson, MT. Jack proposes to create one approximately 3.11 acre parcel for transfer to his daughter, Danielle Newhouse, for residential purposes and keep the remaining approximately 17.33 acre parcel for residential purposes as well.

The history of the parcel is as follows: COS 1418 was filed in February, 1978, to create three tracts, each being twenty acres or more in size. Duane Reynolds filed a Warranty Deed in May, 1989, deeding Tract C to Jack J. Nichols and Mary E. Nichols.

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

Chair Curtiss: If you could state your names for the record.

Jack Nichols and Ron Warren, Rocky Mountain Surveyors, representing Mr. Nichols, were present.

Chair Curtiss: We'll ask Colleen to ask you the same questions, you got the head's up, you know what they're going to be.

Colleen Dowdall: Were my records correct in how long you've owned the property, since 1989?

Jack Nichols: Yes.

Colleen Dowdall: Did you buy the property with the intent of dividing it?

Jack Nichols: No.

Colleen Dowdall: Do you or your daughter intend to transfer the portion of the property that you'll have after it's divided?

Jack Nichols: What's that again?

Colleen Dowdall: Do you or your daughter intend to transfer, to sell or transfer the property after it's divided?

Jack Nichols: No.

Colleen Dowdall: Where does your daughter live currently?

Jack Nichols: She lives in Boise, or Meridian, Idaho.

Colleen Dowdall: Is she going to live on the property after it's divided?

Jack Nichols: Yes.

Colleen Dowdall: Do you live on part of the property as well?

Jack Nichols: I do.

Colleen Dowdall: So, she's going to build a house?

Jack Nichols: There's already a house there, there's two houses on the same piece.

Colleen Dowdall: Have you talked to anyone at Missoula County about going through subdivision review, rather than doing a family transfer exemption?

Jack Nichols: No.

Colleen Dowdall: Are you in the business of building houses or subdividing?

Jack Nichols: No, I can barely drive a nail.

Colleen Dowdall: Are you attempting to evade the Subdivision and Platting Act?

Jack Nichols: No.

Colleen Dowdall: You understand that evasion is a misdemeanor, if you're found guilty of evasion?

Jack Nichols: Yes.

Colleen Dowdall: You understand that we are not reviewing this for adequate access or any of those things we review a subdivision for?

Jack Nichols: Yes, I do.

Colleen Dowdall: And that approval does not constitute approval for any other part of the development process, you still need septic permits. It doesn't sound like you do, because you have two houses.

Jack Nichols: I have two septic permits.

Chair Curtiss: Is there anything you'd like to add.

Jack Nichols: No.

Chair Curtiss: Any questions from the Commission? Okay, thank you. This is a public hearing, I'll open it for comment from the public. Is there anyone who wants to make comment? Seeing no one, we'll close the hearing.

Commissioner Carey moved that the Board of County Commissioners approve the request by Jack Nichols to create one parcel by use of the family transfer exemption, based on the fact that there does not appear to be an

attempt to evade subdivision review. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Hearing (Certificate of Survey): Holden Family Transfer

Colleen Dowdall presented the staff report.

This is a consideration of a request to create a family transfer parcel for that parcel described as Tract A of COS 5456, located in the northeast one-quarter of Section 21, Township 12 North, Range 17 West.

Kathleen Holden 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 44 acres in size located near Clinton, Montana. Kathleen proposes to create one approximately three acre parcel for transfer to her daughter, Diane M. Welty, for residential purposes and keep the remaining approximately 41 acre parcel for residential purposes as well.

The history of the parcel is as follows: Kathleen Holden was heir to this parcel of land as stated in the Decree of Distribution in the matter of the Estate of James Fleming, dated August, 1983. Kathleen filed COS 5456 in 2003, dividing the 50 plus acreage parcel to gift 8.34 acres to her husband John D. Holden and retain the 44.63 acres as a remainder.

According to the records kept by the Missoula County Surveyor, the applicant has not previously used exemptions to the Subdivision and Platting Act except as listed below:

COS 3821	08/20/1990	Occasional Sale	NE 2-12-18
COS 5456	08/08/2003	Gift and Remainder	NE 21-12-17

Chair Curtiss: Is Kathleen, or someone from the family here?

Diane Welty: My name is Diane Welty, I'm Kathleen's daughter. She's currently over in Helena testifying for the special session of the Legislature, she's an attorney. So, I'm here in her stead.

Chair Curtiss: Okay, so we will ask you to answer the questions to the best of your knowledge on behalf of your mother, then.

Colleen Dowdall: Were my records correct in how long your mother's owned the property, since about 1983?

Diane Welty: I believe so, I think that's when the estate was finally settled.

Colleen Dowdall: A number of these questions aren't applicable because she inherited the property. Are you intending to live on the 3 acres?

Diane Welty: That would be my intention eventually, would be building a homesite. I currently live directly across the frontage road from that piece of property. I have a long term lease on the adjoining acres and I also own about 42 acres which is connected by an easement with that property, so this is all farm, family property.

Colleen Dowdall: So you would build a house eventually?

Diane Welty: Eventually, right.

Colleen Dowdall: And your mother lives on the 43 acres currently?

Diane Welty: Not on the acreage adjacent. He parcel that she's living on is separate, it's about a mile away from this property.

Colleen Dowdall: Have you or your mother, to your knowledge, talked to anyone about going through subdivision review instead of this process?

Diane Welty: No, not that I'm aware of, I don't believe so.

Colleen Dowdall: Are you attempting to evade subdivision review?

Diane Welty: No.

Colleen Dowdall: Any you understand evasion of the Subdivision and Platting Act is a misdemeanor?

Diane Welty: I do.

Colleen Dowdall: And do you understand that we are not reviewing this to determine whether there's adequate access or that emergency vehicles can access the property?

Diane Welty: I understand that.

Colleen Dowdall: And finally, that this does not mean the property is buildable, it only means that, if you're given permission to divide the land, we aren't approving it for septic or zoning, floodplain, anything like that, you still have to comply with those regulations?

Diane Welty: I understand that.

Chair Curtiss: This is a public hearing. I will open it. Is there anyone who wants to make comment? Okay, we'll close the public hearing.

Commissioner Evans moved that the Board of County Commissioners approve the request by Kathleen Holden to create one parcel by use of the family transfer exemption based on the fact that there does not appear to be an attempt to evade subdivision review. Commissioner Carey seconded the motion. The motion carried on a vote of 3-0.

Hearing: Annexation of Property to Missoula Rural Fire District (Stephen Gibbs – Jumbo Saddle Trail)

This is a request to annex property into the Missoula Rural Fire District.

A petition has been received by the Clerk and Recorder's Office to annex a parcel of land, located in Missoula County, into the Missoula Rural Fire District.

The petition has been checked and verified. It contains signatures of more than 50% of owners of the privately owned land in the area to be annexed and a majority of tax paying freeholders within the area described, thereby meeting the requirements of 7-33-2125 MCA for annexation of adjacent territory.

The area to be annexed is described as follows:

That particular parcel of land situated in the southeast one-quarter of Section 12, Township 13 North, Range 19 West, Principal Meridian, County of Missoula, State of Montana, being more particularly described as follows and as shown on attached Deed Exhibit 2999, records of Missoula County:

Commencing at the East ¼ corner of said Section 12; thence along the East line of Section 12, S 01°30'00" E a distance of 886.11 feet to the True Point of Beginning; thence continuing S 01°30'00" E along the East line of Section 12, a distance of 466.70 feet; thence S 88°30'00" W, 466.70 feet; thence N 01°30'00" W, 466.70 feet; thence N 88°30'00" E, 466.70 feet to a point on the east line of Section 12 and the True Point of Beginning. Containing 5 acres, more or less, being surveyed and monumented according to this attached Deed Exhibit. (For complete legal descriptions, see map on file in the Clerk and Records Office).

Kathy Wahl, Clerk and Recorder's Office, stated the owners signature on the petition meets the 50% requirement for the total area to be annexed.

Chair Curtiss: I'll open the hearing. Is there anyone here who would like to speak to this? Is Missoula Rural Fire willing to accept this responsibility?

Bill Lindstrom: For the record, Bill Lindstrom, Missoula Rural Fire District. Yes we are. He contacted us and he's aware of the access issues that he has to deal with before he would build a house, those types of things, so we've covered all of our requirements with him and he's finding that acceptable.

Chair Curtiss: It says that this is on Mount Jumbo Saddle Trail, so he knows he'll have to build the roads to accommodate your vehicles.

Bill Lindstrom: You can come off of Marshall Grade. He's got two ways, you can either come up the mountain through an access that he has there or off of Marshall Grade, which we protect.

Chair Curtiss: So we're only adding one person's property?

Bill Lindstrom: Correct.

Chair Curtiss: Okay. Thank you. Is there anyone else who wants to make any comments about annexing this property into Missoula Rural Fire District? Seeing none, I'll close the hearing. So we can just do this now, right Colleen? No protests have been received, for the record.

Commissioner Carey moved that the Board of County Commissioners approve the petition to annex a parcel of land, located in Missoula County, into the Missoula Rural Fire District. Commissioner Evans seconded the motion. The motion carried on a vote of 3-0.

Consideration: Doerr Subdivision (4 lots on 20.59 acres) – Corner of Big Flat Road and Windemere Drive (POSTPONED TO A DATE TO BE DETERMINED IN EARLY JANUARY)

Chair Curtiss announced that the applicant, Heather Doerr, had requested an extension of the review period for this subdivision to a date in early January.

Hearing: Roadless Areas in Missoula County

Chair Curtiss: As most of you know, we were asked by Governor Schweitzer to communicate with the public as to whether or not they wanted to see a change in any of the roadless areas and Nancy will give us a little summary. Nancy has kept track of this for us. Then we'll have a hearing.

Nancy Heil: Nancy Heil, for the record, from the Office of Planning and Grants. The Forest Service announced a final rule in May, 2005, that invited governors to petition the Secretary of Agriculture to develop regulations to manage roadless areas that meet the specific needs within each state and if the governor chooses not to file a petition, inventoried roadless areas will continue to be managed in accordance with the directions set forth in each forest's Land and Resource Management Plan. Governor Schweitzer asked the County Commissioners across Montana to assess the need for new Federal roads on existing roadless Forest Service lands in their counties, and he asked that Commissioners forward proposals for new roads by January 1, 2006. So the Missoula Board of County Commissioners asked for proposals for new roads in roadless areas within the portions of the Lolo National Forest and Flathead National Forest that lie within Missoula County and those proposals were due to the Commissioners by December 1st and were to include a location map, statement of need, analysis of impacts and any estimated construction and maintenance costs. And the Commissioners also set up today's public hearing for any proposals that were received by that date. There were no proposal received for today's hearing. The Commissioners did receive quite a few comment letters on roadless areas generally. Most of them were in support of keeping roadless areas free of roads. There were a couple supporting leaving the management of roadless areas to the Forest Service and there were three or four addressing not adding new roads, but also not closing existing ones. Thank you.

Chair Curtiss: Thank you Nancy. And we do have a file that we will keep with the letters that we've received. Trying to keep track of them here. There are less than 20. The majority have been to keep the roads roadless. There have been a few that have talked more about access issues, which is part of the Forest Plan. Someone from the Forest Service was going to try to come today, I don't see them here yet. So we'll take comments at this time. We don't have a proposal that we're taking comments on, but we'll still take comments about how people feel about the roadless area. The one that we've excluded is the Lolo Peak area, that's being proposed for development and it will have to go through the Forest Plan to change the Forest Plan if it wants to be developed, so we aren't taking comment on that and we want you to kind of stick to roadless areas, not philosophy. So, if anyone would like to make comment, you're welcome. I'll open the hearing.

Jeffery-James Halvorson: My name is Jeffery-James Halvorson, I live in Missoula. I just wanted to talk today, I'm not exactly sure on the roadless areas that are out there in Missoula, but I'm a member of an ATV association and I wanted to inform you of our point of view on a lot of subjects, as well as a lot of other people that are working today and don't have the time to attend these hearings. Eighty percent of the people who access forest lands do

so by motorized vehicles. ATV's, they find, are the horses of the working class. A young person working at Best Buy or Wal-Mart can't afford a horse, a diesel pickup truck, 20 acres to feed it on and everything else, but they can afford a \$2,000 four-wheeler to get up and recreate in our forest lands. The Forest Service currently subsidizes roads that are built on Plum Creek property, because those roads access Forest Service lands. Then, in return, the Forest Service maintains that they have the right to close those roads and gate them off, so currently, roads that are on Plum Creek property are being closed off by the Forest Service because they get a subsidy, which is our tax money, to close. I'd like to say that America is a republic, but I've never had any rights to elect a Forest Service officer or any type of Forest Service official who makes a decision. We can petition to them, which basically mean we pay them taxpayer money to listen to our complaints and then they do whatever they'd like to do afterwards, so I highly encourage that County Council has something to say in what goes on in our mountains around our area. Most damage that you see caused by ATV's is around gated area, because what happens is as soon as they put up a gate, an ATV trail opens up next door to get around it, then that ATV's trail is bulldozed, then they build another one, then they build another one. The next person comes along and says, look at all the damage from the ATV's. Well, the ATV's never caused the damage, it was the access that was denied that caused the damage to begin with. Forest Service plans call for multiple use mandate, so I'd like to see everybody respect that. I've never been up on the trail on an ATV and yell at somebody for walking on our trail, but I have been up on an ATV and had somebody yell at me for riding an ATV, or somebody on a horse yell at me, even though I'm always very polite and pull over out of the way. I'd just like to say it is totally offensive to me to go up to an area where a 20,000 pound logging skidder has gone through and completely raped the side of the mountain, even on Forest Service property or even on Plum Creek property, and yet they put up a gate and a sign that says I can't ride my 700 pound four-wheeler or a family who can't afford four-wheelers or afford horses, can't drive their SUV up there with their young children. I think the woods should be open for everybody to enjoy.

Chair Curtiss: And I hope that you've given those comments to the Forest Service too, because that's considered in their Forest Plan as a use, not just the road issue. Thank you for your comments. Anyone else?

Jeffery-James Halvorsan: I forgot one brief thing. In the 1970's when the Rattlesnake Wilderness was created, one of the main attentions, if you look in the Congressional Hearings, was is that one of their stipulations for making the Rattlesnake Wilderness is because at that time, literally every other piece of Forest Service land was open to motorized use and there were no gates, so they created the Rattlesnake Wilderness just so it would be an areas that's out of there, and I totally support the Rattlesnake Wilderness, it's great to have wilderness areas, but don't make everything around a wilderness area.

Chair Curtiss: Thank you Jeffery.

Tim Aldrich: Hi, my name's Tim Aldrich, I'm a native of Missoula, Montana, lived in this valley the better part of 65 years and I've seen Missoula change from a community of perhaps 15,000 to where it is today and certainly the outlying County development, you know, is absolutely amazing. I spent seven years as a smoke jumper in the '60's and can recall the Bitterroot Valley at night flying over it being just a yard light here and a yard light there and so forth. So, I've seen great transition in this country. I believe that the Governor has given a very well defined and intelligent challenge to the Counties and the reason I say that is he's asked for specificity and what you're saying we need in the way of roads. We have far more roads in the National Forest today than what we can afford to manage. Unmanaged development such as that are a problem. I certainly would like to encourage a larger budget for the Forest Service so they could manage these roads and I think if they could manage roads, more roads would probably would have a better way to distribute the types of uses, the motorized as well as the non-motorized. I think the Commissioners are wise not to make any specific proposals to the Governor for roads unless there are some very specific needs, you know, which are announced to you people and that you believe really represent what we ought to do with some of these lands that are categorized as roadless. I'm a member of the advisory committee to the Region II of the Fish, Wildlife and Parks and here a couple of months ago we heard a woman come and speak to us about the Montana Challenge. I don't know if the Commissioners have had a chance to really look at that, but I think, I asked the lady at that point in time, I said, have you gone to other groups and to the municipalities to talk about what you're finding here, because it really relates in my perspective to the long range plans, you know, that we make for this community and these valleys that come to form. It's interesting, you know, that businesses today, and this is what she has reported to me, anyway, in her report, that businesses are seeking out places like Missoula because with all the technology that exists, they can operate their businesses from virtually any location as long as they have good communication facilities. And the thing that's making a lot of these small companies come to places like Missoula and Bozeman and Kalispell, now Helena, other communities in Ravalli County area, they not only are able to get good employees, they're able to keep good employees and as that study looked at why this was occurring, you know, a lot of it had to do with the amenities that exist in these areas. People want to live there, they want to raise their families there, they want to make their investments in homesites and they want to participate in those kinds of communities. And certainly

one of the big drawing cards that makes Montana, certainly, western Montana, one of the last best places, and I'll stand up and fight for that too, you know, I don't want friends up the valley to have that title on their stationery and us not be able to use it – but one of the things is the marvelous landscaped attributes we have and I think we have marvelous potential out there to do lots of things on the National Forests. I'm not anti-motorized, I'm not a motorized user, I was at one point in time, but I no longer do that, I don't hold it against anybody that does, but I think that as we go into the decisions to build more roads today, that we need to be very cautious of the forum in which we do that and I think the National Forest's planning efforts are the right place to talk about uses, the right place to argue over what multiple use really means as it relates to the various types of recreation endeavors that people want to seek on the National Forests. So, I just strongly encourage the Commissioners to stay right on point with the Governor. I think that's an intelligent approach that he's given us, he's saying I can't do, I'm not going to invest in the type of manpower and so forth to try to do Forest Plans, that's happening there, County Commissioners, you know, and people within the counties work through those processes and deal with your uses and those things unless you've got specific things, so I think, I guess I stand here to support what the Governor has asked you people to do and I certainly would like to also support that these issues as far as uses of the National Forest, and all public lands, be resolved in a forum that involves public input. I'm a little concerned about the Secretary of Agriculture's effort to try to divide the pie up, if you will, of the roadless lands and get into the local County decisions. These lands do not belong to the people of Missoula County or Montana State, they belong to the people of this country and I think the National Forest, at this point, has that challenge and we need to support them in making that work. Thank you.

Derek Goldman: Thank you. Good afternoon, Derek Goldman with the Montana Wilderness Association. On behalf of our 7,000 members in the State of Montana, I just wanted to come up here and say that Montanans want our roadless areas to stay wild and remain free of roads. During the 2000 comment period on the 2000 Roadless Rule, 80% of Montanans held that opinion, that they wanted their roadless lands protected. Montanans know that our roadless areas provide us with great elk hunting, clean water, world class trout fishing and these activities are not just a rich part of our traditions but they're also a key element of our economy. Wildlife biologists will tell you time and time again that protecting roadless areas is the only way to protect this golden egg in Montana, and economists will tell you that our wild areas are the engine driving new businesses to form in and others to relocate to Montana. As the other speaker testified to, there's millions of miles of road in National Forests in Montana and hundreds of thousands of miles of roaded areas on the Lolo National Forest here and the agency has estimated it would take million of dollars to deal with the maintenance on these area. We feel that there's lots of opportunities for all forms of multiple use in the areas of the forest that are roaded and all we're asking for is for the few remaining areas that are roadless to be given permanent protection and to remain roadless in western Montana and in particular, the areas in Missoula County that we're concerned about, in particular the roadless areas aside from the Lolo Peak and Lolo Creek area, would be Petty Mountain roadless area and the Burdett Creek roadless area. Thank you very much.

An audience member asked if the letters submitted became part of the permanent record. Chair Curtiss stated that the written comments do become part of the record.

Chair Curtiss: So we do have those letters for the record. Also, the map up here shows the roadless areas in Missoula County that are on the Lolo Forest. There's another few that are in the Flathead Forest up in the Swan area. We did have that map in the Swan at the Swan Ecosystem Center and folks looked at it but we didn't get any comments from there and I checked on that yesterday. So, is there anyone else who wants to make comments to us about roadless properties? I know that Beverly just came in, we're ahead of schedule today. So if you'd like to come and make comment about the roadless, you're welcome to. We don't have any proposals, but we'll still accepting comment.

Beverly Dupree: My name is Beverly Dupree and I guess I want to thank you for the opportunity to comment and on behalf of the Great Burn Study Group, Board and staff, we would like to see all the roadless areas in Missoula County remain roadless, particularly Petty Mountain inventoried roadless area and the Great Burn inventoried roadless area and Quigg and Stoney on the upper Rock Creek headwaters.

Commissioner Evans: Thank you. We will convey these thoughts to the Governor.

Chair Curtiss: And we do have your letter on record too. Is there anyone else that wants to make comment on the roadless areas in Missoula County.

Commissioner Evans: We got here a little earlier, if you folks who just came in were waiting for 2:00.

Chair Curtiss: Also, the Forest Service folks yesterday told me that they think that their draft plans will be out in February and they will then have a 90 day comment period and they will also be holding some open houses so that gives you opportunity to comment in their process if you're interested in talking about uses being changed. So, at this time, if there's no one else who wants to make comment, I'll close the hearing and I believe the Commission will convey to the Governor that we have letters on file and that we did not receive any proposals for any new roads in the roadless areas that are within Missoula County. Is there any other business to come before the Commission. Seeing none, we're in recess.

There being no further business to come before the Board, the Commissioners were in recess at 2:10 p.m.