

June 28, 2006 Public Meeting – Chairman Bill Carey called the meeting to order at 1:30 p.m. Also present were Commissioner Curtiss, Commissioner Evans, Mayor John Engen, Sr. Planner Rural Initiatives Pat O'Herren, Chief Deputy County Attorney Mike Sehestedt, Assistant Director Public Works Chuck Wright and CAO Ann Mary Dussault.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT - none

ROUTINE ADMINISTRATIVE ACTIONS

Commissioner Evans moved to approve Weekly Claims List in the amount of \$470,645.45. Commissioner Curtiss seconded. The motion carried on a vote of 3-0.

HEARING

Petition to Abandon an Unnamed Road (within Sol Acreage Tracts Subdivision)

Commissioner Carey opened the hearing.

Chuck Wright: This particular road just showed up in the Old Road Book 1 roads. It's along the section line and we have no problem whatsoever for this abandonment.

Commissioner Carey: Thank you Charlie. Any comment on this matter?

Seeing none, Commissioner Carey closed the hearing.

Commissioner Carey: We have to pick a Commissioner to go out and look at this. It is me, so we'll....

Mike Sehestedt: Actually you want to recess the hearing and set it for a date certain after inspection.

Commissioner Carey: How about the 19th? Is there any hurry to this?

Chuck Wright: No, the 17th would be fine with me.

Commissioner Carey: Actually see it then? Okay, that's fine. So I'll recess this hearing until the 19th of July.

Commissioner Curtiss: Actually you're not here the 17th; all of us are out of the office that day. Anyway, we'll put it back on the agenda for the 19th.

Chuck Wright: So the 18th or something like that will work.

Commissioner Carey: Okay. Thank you.

HEARING

Request to Place Open Space Initiative on the November General Election Ballot

Commissioner Carey opened the hearing.

Pat O'Herren: Today's public hearing is intended to provide citizen input to the Commissioners on a proposal to place a 10 million dollar bond on the November 7, 2006 General Election Ballot. The concept of a bond as most of you know was presented to the Commissioners by a citizens group called the Open Lands Working Group. That group of citizens recommended to the County Commissioners that one way of preserving open space, protecting working farms, ranches and timberlands was to have a funding mechanism available to help protect those sorts of lands. The group originally recommended a 20 million dollar bond and the City of Missoula and Missoula County, their staffs, their administrative staffs, their legal council and their financial staff reviewed that proposal and after looking at all of the projects that are facing those two entities in the future it was determined that a 10 million dollar bond was financially feasible, was reasonable and was desirable from a policy of taxing and an accounting perspective. The meeting today is to provide the governing body with a citizen's perspective of that 10 million dollar bond and that's why the public hearing has been scheduled. It's important to note that if a bond is passed, it will help fund projects that are totally voluntary in nature. This is not a regulatory bond; it is a voluntary project funding mechanism. So individuals, whether they are in timber, ranching, farming or just have valuable open space in the community

will have the opportunity to compete for those bonds. The projects would be reviewed on a voluntary basis by the appropriate governing body of course. The intent of the bond is to protect valuable rivers, lakes and streams, working farms, ranches and timber producing lands, open space and lands of similar values. The bond it as proposed 10 million dollars, but would be divided up such that 5 million would be directed towards the Missoula planning region which is the center planning region on the maps here in this room in the front and on the north wall. The other 5 million would be directed into the other eight planning regions of Missoula County. It's entirely possible that projects will come that will be joint projects that the City and the County can work on. There is that flexibility within the bond itself to do that as well as look at individual projects in individual planning regions. The intent of the bond money is to in essence provide seed money for future monies to come from state, federal or other private sector sources. The experience in other communities has been that bond monies are often matched two to one, three to one, four to one or even more so it's entirely possible that a 10 million dollar bond on the part of Missoula County would generate significant funds in excess of those 10 million dollars. The testimony at the May 17th public meeting was overwhelmingly in favor of an open space bond. The only question became one of the amount of the bond was 10 million dollars and up. Again, the two governing bodies went back and researched their bonding capacity, their indebtedness and their ability to meet the demands of residents in the future for other bond type projects and the 10 million dollars, as I mentioned earlier, is the most desirable and feasible amount to move forward with. Having said that, I just remind the Commissioners that one of the primary reasons for considering a bond is to protect Montana's lands, waters and wildlife as well as the working landscapes and the economic diversity of Missoula County and certainly the City of Missoula. That testimony comes from the working group who has been meeting for the last year or year and a half and has provided a recommendation to the Commissioners to adopt an open space bond.

Mavis Lorenz: I've been a Missoula resident for 52 years in September. When we ran the bond to purchase Jumbo, six or eight years ago, there were people going from door to door collecting \$5, \$10, \$50, \$100, \$300 from neighbors. Everybody gave something. I was so proud to be a Missoulian when that thing passed. The elk herd on Jumbo, the bad snow winter was a signature of our commitment. Every day morning and night we counted those elk up there. A friend of mine counted them every morning and called me and asked how many I had counted. We would compare numbers. One day he called me and said there was dark spot up there and he couldn't make it out with his binoculars and because I had a spotting scope in my kitchen window, he told me where to look. It was an elk carcass; there was a mountain lion it. For four days before 4:00 and 6:00 that mountain lion came back and fed. I think I had half of region two in my kitchen looking at this. What if we hadn't kept Jumbo? What would there be there today? I think it would look like South Hills. There wouldn't be a mountain lion up there; there wouldn't be any elk herd. So now we've got a chance to unite the City and County and an opportunity to do this again; this time to include saving agricultural land in addition to wildlife and open space. I know that the City will vote for this bond, lets see you County residents step forward too. Thank you.

Betty Thistead: I live in the Nine Mile Valley and have for the past 30 years. So to the County Commissioners I would like to encourage you to take this opportunity to pass the bond issue, or at least give it to the public to vote on. Since 1997 there was a group in the Nine Mile that drafted...it was called the Nine Mile Community Council...they drafted a proposal or an amendment to the 1975 comprehensive plan for the County that would protect several issues that I do believe that this bond would also emphasize. Some of those issues were the concern that we had in the Nine Mile valley for scenic vistas, a rural life style, wildlife preservation, historic sights, farm land or agricultural possibilities and then our watershed. Now, this amendment was not adopted at that time by the County, but citizens and residents of the valley still very much care about all of these issues. So we feel like it would a great opportunity to keep those issues in the forefront of the residents in the Nine Mile area and a lot of hope that maybe a bond issue would be there to raise the awareness. I'd just like to close with this quote that was given in 1962 by President John F. Kennedy, he said, "Conservation can be defined as the wise use of our natural environment. It is in the final analysis the highest form of national thrift. The prevention of waste and disparagement while preserving, improving and reviewing the quality and usefulness of all our resources." Thank you.

Commissioner Evans: I'd like to interrupt for one minute and as the Chief Deputy County Attorney to explain something to you based on what Mavis said hoping that the Commissioners or the County will step up. I'd like you all to know the limitations the Commissioners have, any elected official has on helping to push a bond issue. Michael, would explain the legalities of that, please?

Mike Sehestedt: Well, you simply cannot use, under state law, public funds, public time, equipment or resources for the fact of encouraging either support or opposition to any candidate or as this case would be a bond issue. You are allowed to present educational material, basically saying this is what is being voted on and this is what will happen if it's approved or denied. But they're not allowed to advocate. Now, each elected official is of course free to express their personal opinion on a subject such as this, either for or against. But the legislature has been quite specific in saying they can't spend public money or use public resources for the purpose of influencing the outcome of an election.

Commissioner Carey: Thank you, Michael.

Mavis Lorenz: Actually what I said, Barbara, was directed more toward the County residents than to you Commissioners.

Commissioner Evans: I knew that, but I wanted to make it clear.

Mavis Lorenz: Yeah, I realize that you're not in a position to pound the table for us. But, as an individual....

Mike Sehestedt: Actually elected officials can pound the table; they just can't send staff to do it for them.

John Stahl: Missoula Montana County resident. When the first bond issue went through, I was opposed. I'll be real honest with you, I was opposed. I didn't think the City had the fortitude when they got the lands to properly manage them and to spend the money that was required to do it. I felt that with the money they received they were not going to get the best bang for their dollar that they took from me, from the tax revenues. I was wrong. 100% wrong. I've been on those mountains now, just so you know I also have the sheep up there, so there was a monetary value here because of the open space I have my sheep on the mountain now. They're grazing the weeds; we are taking care of the problem. What's happened though is that it postponed a subdivision that was going to happen on my property and this was something that I didn't realize was going to happen the first time this went through. So, I am a convert to this process. I do understand now the beauty that's on that mountain. I've been to places on that mountain that most people have never seen up there. There are valleys up there that are hidden from the roads that you cannot see them unless you are on top of the mountain. There are places that would be fantastic homesites that now will always be there for us to look at. I am a true supporter of this bond issue and I know it's only 10 million dollars, but that's okay we'll get another one if we run out of money here that's not a problem. I just want to say that I am a convert and I totally support this bond issue, thank you much.

Jim Valeo: I'm here really in three capacities. First I'm on the board of the Five Valley's Land Trust, second I own a local business that operates in western Montana making mortgages, so we're in the business of appraising properties on a continuous basis and thirdly I own a property west of town. It's a sizable agricultural property. 100 acres of that property is 200 feet from the new sewer that the County put in out Mullan Road. So, we're constantly facing the question of what to do with that property and isn't it tempting to walk in here and ask for a subdivision proposal when the sewer is right there and the value of that property increase enormously by that sewer. I haven't done that yet and I don't expect to in the near future. I want to read a quote here, "We ought to take a look at whatever we can to help manage growth. We need to explore the options out there. Your way of life is being threatened by growth. We preside over the subdivisions of Missoula County every week and unless citizens who share a place work together to find some things to agree on, you'll be looking to move to British Columbia in 10 years. There will be nothing left in the lower 48," that's Bill Carey, Commissioner. What I think I want to say is that this...we call this an open lands initiative but it's also really a growth management initiative. That's what this is really all about. What this bond provides is options for landowners and also for people that are in important administrative positions as the four of you are. So, what I think what we want to do here because what Bill said in his quote, is that we need to think about how we manage growth. I have to tell you candidly, I'm not really excited that we're doing a great job at this point because in many respects we don't have the tools to do it. That's what Bill was saying. We don't have the tools. He said it before...well what this initiative is is a major opening of a lot of tools that are going to be available not only to land owners but also to people in administrative roles to help with the process of growth management that is probably the single largest issue that faces us in the community today. So, what I'd like to ask you to do is not just put this on the ballot, but do anything Mike will let you do to endorse it whether it's pounding your fists or using your own personal funds or whatever it is.

Mike Sehestedt: Jim, I don't engage in prior restraints but the law imposes some consequences on violations.

Jim Valeo: Right, exactly. So I think as long as you....as long as they do what your guidance provides everything will be fine and we'll get some endorsements on this thing. Thanks very much.

Jim Brown: I live in the Rattlesnake, in the County. I'm also president of Five Valley's Audubon Society which has a membership throughout the County and I'm speaking on their behalf. We're very much for putting this out to the voters to decide upon and for a very special reason that is the wetlands and riparian areas and associated grasslands in this valley are very limited and they're obviously under a very serious threat. Recently, something called an important bird area, and IDA was approved and in an area that runs roughly from Reserve Street to Huson and it includes the cottonwood bottom lands, wetlands nearby such as in grass valley and the associated grasslands around there. This is actually an international program that's managed by National Audubon in the United States. The whole purpose is to identify critical bird habitat and inform people about where they are. This area is important, it's very valuable. For example in Montana less than 4% of our land areas actually in wetlands, riparian areas...yet over half of the birds nest and breed in those wetlands and over 80% actually use those wetlands at sometime or another. So, this area is a very critical area. I sometimes worry that we live so close to something we don't appreciate and that could be a problem here. I worry about that because time is running out. What do we have? 10 years, 15 years? I'm not sure what, but our options are fast dwindling to save some of these valuable open space wetlands and riparian areas. So it's urgently needed for us to get this on the bond now and I fully support doing that as does the Audubon Society. Thank you.

Mike Fellows: I'm a local libertarian here and I speak in opposition to this bond. I think the issue comes down to whether we pick other people's pockets or whether we voluntarily go out and save the places we love so much. I think we can do that. It seems like sometimes we choose not to and a lot of people who would like to be here today probably can't because they're working like I have to in a little while. It seems like Missoula County has plenty of open space and I think we've already got protection through lands that are either owned by the state or the feds. I just at another issue a few years ago when Great Falls was trying to save a Charlie Russell painting, they didn't go to the City or the County and to say they needed a bond issue to save the painting. It gave you images of kids coming in with their piggy banks dropping pennies into the barrel to save this painting that they so wanted to save. I think we shouldn't put this on the ballot. What we're talking about here is if we're saving open space, then the people in this room can get together, they can voluntarily donate money. We've got deed restrictions, we've got conservation easements...we've certainly got other ways to do this and it's not necessarily the governments job since I don't believe this is an essential government service that we need to obligate the tax payers of Missoula County for 20 years. We're being taxed out of this valley as it is because we just passed three things here locally in the last election and we just keep burdening the tax payers and pretty soon they're just going to say enough is enough. I think if we truly want to save a thing like open space then it's up to us, the citizens, to get together to form groups and go out and fund raise. I think that's the proper way to do things and it's not really the County's job or the citizens to tax our neighbors who may not want to be taxed on this issue anyway. Thank you very much.

Pelah Hoyt: I am the president of Hellgate Hunters and Anglers. We're a local group dedicated to conserving Montana's wildlife, wild places and fair chase hunting and fishing heritage. Hellgate Hunters and Anglers would like to thank you for considering an open lands bond and we'd like to urge you to put it on the ballot. As hunters and anglers we recognize that open land conservation is the most critical issue facing fish and wildlife in our County. The conversion of working farms, ranches and timberland is damaging our most valuable fish and wildlife habitat, particularly riparian areas and winter range. Hellgate hunters and anglers are also concerned about how this land is managed once it's protected. The City open space bond has been a great success but some of the areas that the City acquired are infested with weeds. I understand that bond money can't be used for ongoing management of these lands, but one possible solution to that would be to purchase conservation easements instead of purchasing the land itself. This will help ensure that the land is managed properly and keep the land on the tax rolls and it's going to help the many rural land owners who want to keep their land open and working but just can't afford to do so. One final issue is the issue of access. As hunters and anglers, access to our natural resources is extremely important. But we understand that some land owners who may want to participate in this program may not want to grant public access. We've asked ourselves is it appropriate to spend public money to protect public land that we don't have access to? We don't have a specific recommendation on that because we haven't really come to consensus on this issue, it's a tough one. Generally we think that the more access the better, but conserving fish and

wildlife habitat is the most fundamental issue and if we had to choose, we'd rather have intact fish and wildlife habitat with no access than subdivisions. In conclusion, we hope that you will put the open lands on the ballot and that you will take steps to ensure that the land is well managed and that you will seriously consider this issue of access. Thank you.

Grant Parker: I'm general council for the Rocky Mountain Elk Foundation. I want to thank you for considering this resolution and having this hearing. As you know, the Rocky Mountain Elk Foundation is an international wildlife conservation organization with its home here in Missoula. This is our home and we fully support this bond effort and urge you to adopt this resolution. It was discussed as to why we don't do this ourselves and as you hopefully know the Rocky Mountain Elk Foundation has been working to do it ourselves, with partners of a number of people in this room, to conserve critical wildlife habitat. For example in Missoula County we've helped preliminarily protect 46 acres up in the Blackfoot/Clearwater game range that we acquired from Plum Creek and have turned over to Montana Fish, Wildlife and Parks. We have contributed to a couple 100 thousand dollars plus a lot of effort to Mount Jumbo. We do put our money where our mouth is and strongly believe that we do not have enough money to do everything. This is one small piece of a whole bunch of tools out of the tool box that are going to help us to protect a little bit more. Is it enough? No, but it's a real important piece and the success of the Missoula bond before showed us how we can make a big difference and we think we can continue to do that. There's been discussion about stewardship. The Elk Foundation has contributed to stewardship efforts in Missoula County, Chamberlain Creek, Mormon Creek, O'Brien Creek and we'll continue to do so. But, we do need to steward these lands and that's one of the things that we'll be continuing to address. That does not mean we don't use funds like this bond issue to permanently protect so we have something to steward. When they're all homes, we're not going to be able to steward it. Because this is going to be done on a willing buyer, willing seller basis hopefully we'll be using tools like conservation easements. It's a wonderful tool and we look forward to working with the City of Missoula, Five Valley Land Trust and other non-profit conservations and all these wonderful volunteers here to help protect more elk country and the wonders around Missoula. Mike Mueller who's the lands program person for the Elk Foundation is also here. He has a fun job, he gets to go and put these deals together, so he'll be talking today. I do have a letter from our CEO who was unable to be here today, I would like to submit that for the record. (On file in Commissioner's Office)

Jeff Stevens: I'm a member of the Missoula Open Space advisory committee, but I am speaking this afternoon on my own behalf. I already spoke in favor of the open space bond at a public meeting a couple weeks ago, so I won't spend a lot of time repeating myself. But, I would like to call your attention to the article that appeared in the Missoulian last week that cited a wide variety of communities across the country that have adopted or are considering adopting open space bonds. I believe that open space preservation is becoming a national movement across a political and social boundaries and I would certainly like to urge the Commissioners to place our proposed bond on the ballot this November.

Glen Marangelo: I am a Missoula resident of 11 years. The reason I'm here today is because I think if you asked County residents widespread what they value about living in the County, I think pretty quickly the values of rivers, forests, wildlife and working farmlands and ranches would come out of their mouths. We have to acknowledge that our area's changing. I've been here for 11 years and I've noticed a lot of change. That's nothing in comparison to people who have lived here all their lives; they've seen a lot more changes going on throughout the City and the County. Whether or not change is good or bad, that's something an individual must decide. It's not something to be debated here, but the fact remains that change is happening and it's going to continue to happen at an increasing rate and we should take some measures to try to do that wisely. I would definitely encourage you to place the open space bond on the ballot for County residents to consider because a bond is going to be a critical tool that will allow us to acknowledge the ongoing change in development, but with an eye toward protecting some of the values that County residents cherish. It will be a way to hopefully proceed forward with growth in a smart and....just in a way that will be really looking and taking in to account the values that we're all looking at. Thank you.

Meggen Ryan: I live in Evaro. I am a member of the Open Lands Working Group. I attended the scoping meeting held earlier this month and was inspired to hear that of the 50 verbal comments, 49 ½ supported the open lands bond and it's great to know that 99% of the speakers were energized about this bond and apparently agree on its merits. But, as I listen to the umpteenth person recite how they moved to Missoula recently because they could view elk on Mount Jumbo, walk the river trail, escape to the Rattlesnake after work, it soon became very annoying and disheartening to hear this, after all these people are precisely why we need an open space bond at this time. They have lived here a mere few years, fewer than Barbara

Evans has been a County Commissioner. Just what is their long term stake in this County? I piously wondered this while counting the generations of my relatives here, deceased and living. All of my relatives born in this County, my grandma, my dad, myself, my children, my siblings and their children, my cousins and their kids too, numerous uncles, numerous aunts as well to thank for this progeny, including my aunt Barbara Evans. Well it is obvious that natural regeneration flourishes in Missoula County. Even if no one had moved here in the past 20 years we would still need to try this bond. And we know there is no stopping the rapid growth. It is never too soon to begin the process of conserving our open lands. We can have both growth and conservation if we do it right. I'm not asking the Commissioners to support this bond for me or my children or for the "new" residents or for the people yet to move here. I am asking the Commissioners to support this bond for the land itself, for the people who work it and for the wildlife that have been using it long before most of us arrived on the scene. Thank you.

Ellen Knight: I live at 5800 Rattlesnake. I've worked in open lands protection in a natural history education for a long time and so clearly I'm in favor of this bond. But, one of the reasons why my passion for this is cemented is when I go home to Arkansas in a place where my family has lived for years. There has been little or nothing done about protecting open space and when I go there I find very little place to walk, to go or to be. It's very disheartening...always the sounds of traffic. Because I have worked for years in natural history education I am also very concerned when I go home, I see the places I used to hike and ride are no longer there. The question that comes to my mind in addition to the sadness I feel about the displacement of the natural world, the question I ask myself is: How do children learn about the natural world if they don't have it close to them? I know that some of them do, but that ability to go out and be out there long enough to observe whatever you see, whether it's a fly or a worm or a squirrel or a bird or some unusual tree or frog...it's really of great concern to me and as I look into the future, I think it's imperative that we have people in our communities and in our nation who have a connection with the natural world. I don't mean just out there in the mountains, although I certainly love that, but I mean close enough to their homes where they can easily go and easily have access so that becomes a part of them, after all we are a part of nature. It's very worrisome to me, so I think that this is a joyful opportunity and I applaud you for considering this and I hope you'll put it on the ballot.

Julie Hacker: I live on a ranch in Potomac and I've lived there all my life. I am speaking to you in opposition to this bond issue because I feel that it is an intrusive thing into the operation of what should be a natural system of preservation of open lands. I'm preserving the space that all you people covet, but I don't think that you appreciate the people who live in the rural areas as much as you should. I don't think you appreciate the people who contribute to the tax base of your various constituents either because I think it's very wrong to tax an individual struggling homeowner to pay off a rancher or make arbitrary bargaining money for a purpose of acquiring their rights to their place. Now I grew up in Potomac, I've got fields and forests and a pond with ducks and herons and all kinds of animals that live there. As a child I drove the second rake in the hay field. I've helped feed cattle, raise steers, milk cows and done all the ranching open space kind of things but I don't want you or anybody else intruding on my lifestyle. I want you to make it possible so that we can continue to do our business with a reasonable amount of taxation and a lack of horrendous regulations that we might find imposed on us. I have a copy of your draft resolution, but I've been told that agricultural land will be exempt from taxation for this bond issue...I can't find that in this proposal. I wonder if it's even in here or not.

Mike Sehestedt: I don't believe the draft language specifically addresses that because the language is adopted pursuant to state law. After I talked with you, Julie, I tracked down the provision on this and it says property taxes levied to pay the principal in interest on general obligations bonds issued to acquire open space may not be levied against any of the following property: agricultural land eligible for valuation assessment and taxation as ag land. Ag improvements on Ag land, forest land, non commercial improvements on forest land and agricultural implements and equipment. So it's not in the text because it's provided by law and really would be surplusage to include it in the text given this provision.

Julie Hacker: And you can pretty much guarantee that won't change?

Mike Sehestedt: I can't....

Julie Hacker: Once this bond is passed it will be...that's the way it will be? Exempt?

Commissioner Carey: Yes.

Julie Hacker: Guaranteed?

Commissioner Evans: (inaudible) legislature.

Mike Sehestedt: As far as Missoula County is concerned it's guaranteed. Frankly the legislature couldn't change it to exempt more property because impairment of contract. I think they would have difficulty changing it as to a bond issue that's already been voted on again on an impairment of contract theory. But have I researched that question? No. Do I think that the legislature is likely to go backwards on this exemption and make it retroactive? I think it's incredibly unlikely. Can I guarantee it? No, I can't guarantee that the Coeur d' Alene fault won't move and level everything in the valley either. I deem it unlikely however.

Julie Hacker: Well my neighbors and I would like to have something that we can directly, sincerely depend on in this issue.

Mike Sehestedt: I think this probably shouldn't get into a dialogue except with your permission Mr. Chairman.

Commissioner Carey: Go ahead.

Julie Hacker: I would like to see it guaranteed in this resolution that ag property will be exempted from taxation for the open space bond because we are the people who are providing open space, whether you've bought it from us or not. We have it for you.

Mike Sehestedt: The response on that is...the commitment is by the legislature. I think if the commitment is acted on in terms of voting a really strong legal position that even if the legislature decided this was ill advised, they couldn't change it retroactively to outstanding bond issues. So, you probably got as good a guarantee in the law by a 150 legislatures subject to a gubernatorial veto than you would in, with all due respect, in resolution language by three Commissioners who also won't be here forever. Even though given Barbara's example, they may be.

Julie Hacker: Another issue that I would like to bring up is the opinion poll that you conducted and I'm rather offended by the profiling that was done in the final report saying that the elderly republicans and people who have less than a high school education would be not in favor of that. I believe that these are the people who have lived by their hard work and their wits and they have hung on to their property and they want to be able to have a stable tax situation in order to live their lives. It gives me the opinion that only the highly educated elite know what's good for the rest of us. So, with that concept it leaves a very poor taste in my mouth for that. I think the land...the money is drying up from the private sources and private foundations that would take part in this open space thing. In order to substitute from that, the counties and governments have decided to go tap the tax payers and tap the private property taxes because they don't have this leverage money available to them. Now if anybody wants to put a conservation easement on their private property they can do that and they can make the donation and they can get the lawyers and the accountants and all the people who are necessary to help them accomplish their goal. I'm rather offended when they had the meeting in Potomac, they didn't want to talk about the various nuts and bolts of what was involved in the conservation easement. It sounds real simple, but it's not. You have to have appraisals, attorneys, you have know what your tax situation is and all this goes in before you can have a conservation easement on your place. It sounds like a pretty thing. If you're going to put money out to make a park, that's one thing but if you're going to put a forever, or sort of forever, conservation easement on your place you have to be very very careful what you do. It's a multiple step thing. There are people in our neighborhood right now who are working on conservation easements. These people have worked a long time and they're willing to wait in line, but they think that other people should have to wait in line too. They have put up the money, they have made the volunteer things and they are getting a conservation easement on their property. But I don't think it's part of the government to tax the homeowners in our community. Struggling people who are trying to buy a house, raise their kids and do all this kind of stuff to enrich someone who already has quite a bit of assets to their name. I think the people with the assets are the ones who should be donating if this is what they want to do. I've got a lot of neighbors in my valley...where there was once three mailboxes, there are now 94. Really the bad part of it...it doesn't bother me to have the neighbors, but I don't like them to ride through my fence and throw their beer cans in my pond because it interferes with the ducks and the heron. I would ask that you not put this on the ballot that you turn it over to the volunteer organizations. We have land trusts, we have associations that protect the fish and game and people that want to enjoy the elk. I'll tell you there's a regular parade of cars coming down my road, or down my highway every Sunday afternoon and

they look at the elk in my field that are eating the hay that I really want to raise to feed the cows. But, all I'm asking for is to have a stable situation. I think it's Robin Hood in reverse if you do this to the local, individual homeowners who are trying to get a start in this community. There has to be a limit as to how much taxation people can afford to pay and how much support we need to put forth for the government. Right now I'm concerned, I think it's way too much and I think it's a burden on the people when you load it up for taxes where there's a possibility of doing it some other way. And I resent the fact that you have the proposal to use this money as leverage. Leverage already exists in the private parcels of land, so I urge you not to put this on the ballot. Thank you.

Ethel MacDonald: I'm a City resident and I am a member of the Open Space Advisory Committee, but I'm speaking as an individual. As a member of that committee, I just have great personal satisfaction in feeling I have any small part in preserving our wonderful open space. I know Barbara, that you have great satisfaction in having helped us to preserve the Cox property and keep that as open space with access. The man who spoke of the treasures on Mount Jumbo that people don't know about, that back side of Mount Sentinel is quite undiscovered by most people and...not that we really want everyone to discover it, but it is a beautiful area that we would not have without the efforts of the open space bond money, committee, Five Valley's Land Trust and the County and the federal government. So much of this takes all of us working together and I want to thank the County Commissioners and Mayor John Engen for getting together on this so that we will have a County bond. The poll that the lady mentioned earlier also showed that the areas residents' highest concern is for agricultural lands. One of our highest priorities with the County part of the open space is to help people stay on the farm through conservation easements and I wish I had the time and expertise to tell you more about this. I know people do and I'm sure that you've been contacted and will be, but this is so much for people's love of just being able to know those farms exist and to keep them from being developed. We can all understand the pressure to develop when you're sitting on land worth millions of dollars to a developer. The pressure is tremendous and we want to help that. One of the ways that a County open space bond will help is that money can be used to help the landowner get the conservation easement because we know there is time and expense involved. As a matter of fact as small amount of City open space bond went for that very purpose, to help the landowners get a conservation easement on a very important piece of property to most Missoula residents. So, I want to thank you again and remind you of the other point I made before which is that the open space is something enjoyed by people of all income levels. It doesn't take a quarter to look up and enjoy Mount Sentinel or Mount Jumbo. The value to every individual...you don't have to have eyes to see the value either, you can walk you can listen if you can get out. There are very very few people who can't really enjoy and appreciate the open space, the views, the vistas and the access. Thank you.

Tracy Stone-manning: Talking with two hats today, one as a citizen and the other as the Director of the Clark Fork Coalition. I'm going to start as the citizen. Julie and I sit on the Missoula County Local Government Review Commission and if I've learned nothing through that process, I've learned that democracy is messy and it's also pretty beautiful at times. What we're asking of you today is to let democracy flourish. We're asking you to ask the citizens whether or not we want to tax ourselves for this value that we care about. So that is a question for the 90 plus thousand residents of Missoula County to consider. They're going to let you know one way or another and I think it's a wonderful thing that you have the ability to let us ask that question of ourselves. Also, as a citizen, every single day I appreciate the open space that is in Missoula. Every day; it keeps me here, which some people might say "Jesus Christ lets get less of it then," but....it keeps me and many thousands of others here. So, thank you for what you've done so far and thank you for what I hope you will do. As the director of the Clark Fork Coalition I would just say that our work...we're beginning to understand more and more as every day passes, to guard and protect the rivers of the Clark Fork basin means to look from ridgeline to ridgeline. And in between those ridgelines are a lot of people. One of the great tools that we can use to protect rivers is to protect the lands along the rivers and this will give us the ability to do that in part. So on behalf of the 1400 or so members who support us and yes, write their personal checks, I stand before you and ask you to get some public backing for this as well. Thank you.

Greg Lind: I have the privilege of representing Senate District 50 and I would...maybe I'll mention to Ms. Hacker? I can't as well predict what the legislature's going to do, but I will strongly oppose any move to remove the agricultural exemption and will work hard to help prevent that from happening. That's a pledge to you. As I walked around the County, I had the pleasure of knocking on 4000 some doors and conversations would frequently come to, 'What brought you to Montana?' and for the folks who weren't natives, I would ask and explore that. The answers rarely and perhaps unfortunately did not include high paying jobs, quality schools and access to health care. Almost invariably it was some aspect of our local environment that

brought them here. I remember talking to a gentleman in one of the new developments west of town – he just wanted...he brought his family here and just wanted to live in Montana. He didn't have a job yet, but he and his family wanted to be here. I wouldn't recommend that approach, obviously, but there is an intangible that's difficult to quantify that I heard through all parts of town, the north side, the west side, Grant Creek. Where I'm going with that, I think we can all envision a future Missoula County without those attributes and amenities. I think we have an opportunity here to help shape the future for present and future Montanans, Missoulians and I encourage you to place this on the ballot for consideration. Thank you.

John Stahl: I forgot two items. One thing I did last year during this time of year, I was up there and gave my herder a break, and I interviewed the people who were walking on the north hills to find out where they were from and why they were walking. The thing that surprised me about that was that 30% of the people walking on the north hills did not live in the City. These are people who went up there to take a look over our beautiful city. My herder right now is from Mexico and he calls this very much his Grand Vista. He really loves this city and how beautiful it is. Considering he comes from Chihuahua and it's so dusty and dirty there, this is beautiful to him. The one thing I'm worried about, though, is...I asked myself one time why don't we have a corn maze in the City of Missoula? The reason we don't have one is because County zoning regulations prevent it and we need to look at our zoning regulations to make sure that we don't stop people from having creative ideas to keep these spaces open. Thank you very much.

Neva Hassanein: I am an Associate Professor of Environmental Studies at The University of Montana. I'm also a member of the community food and agriculture coalition, although I'm speaking today on my own behalf. I have an expertise in agricultural sociology and local food systems and I've spoken to you before, so you're familiar with my perspective. I do support this bond measure and I particularly am excited about the fact that it will provide one new tool for protecting agricultural land in the city and the county. I do see it as one tool though and I have followed the work of the open lands working group quite closely, although I'm not a member of it, myself or my graduate student has attended regularly. It seems to me that they're coming forward with a whole range of tools, not just conservation easements but also economic development strategies and tax incentives and so on. So I would hope that with passage of this resolution to put this on the ballot that your work to protect our agricultural land does not end there. We clearly need to address the economic issues related to agriculture in the County and what remains of it in the City. This has been proven by a number of studies shown, but one new one that I wanted to share with you is research that Paul Hubbard, who's a graduate student that works me, did for the community food and agriculture coalition. He interviewed economists and economic development specialists in the region of Western Montana and asked them what will it take to preserve farm and ranch land here. Basically the answer is we need to pursue economic development strategies in order to do that. I fear that we will become sanguine when we pass a conservation easement bond and that it will make us feel like we're doing what we can to protect working farms, ranches and timberlands. But I don't think that in and of itself it will inevitably do that for the long term. It will prevent development on those lands, but it doesn't necessarily keep them as working lands. So, that's my personal concern and in looking at the language that you're proposing to put to the voters...it's specifically for purchasing land easements and other interests in land from willing land owners. I think it's terrific that it's basically a voluntary program, but it's really limited to acquisition and easements pretty much. So, the other strategies that the open lands working group and those in the community food and agriculture coalition want to put forward are not really, as I read this, covered in this language so I was a little disappointed to see that it was narrowly construed towards acquisition and easements. Not that I don't support those, I do, but I think we need to be honest with ourselves that we have to do more to protect agricultural land where the rapid development is occurring. The other thing I would like to see added in to the language, and I assume that's still an option with this hearing, is to include a purpose for providing for community farms and gardens. The community farm in the Rattlesnake produces over 20 thousand pounds of food every year, fresh, local, organic produce that goes to the Missoula food bank as well as providing a number of education opportunities. We actually have young people who do want to go into farming and that's a place where they can get trained. Whether they can find land to farm is another question, or afford it, so we need to look at some other strategies. I would like to see that explicitly in to this as one of the purposes for which the bond could be utilized. All of the community gardens in Missoula have unsecured land tenure. If the church on the north side decides they need that land for more cemetery space, the community garden on the north side is gone. That is the same with all the community gardens. So, I would just like that see that added as a very specific suggestion and I'd like to share with you this research report on economic viability (on file). I appreciate your attention to this issue and I hope you will submit this to the voters. Thank you.

Bert Lindler: I'm going to have a very narrowly focused testimony this afternoon on one of the many benefits of open space protection and that's going to be to provide connections between pieces of wildlife habitat. I will be speaking both as chairman of the Grant Creek Neighborhood Council's open space committee and then I'll also prepare...give a brief reading from testimony of scientist Christopher Servheen that he has prepared on this topic. As development continues in and around Missoula, areas serving as wildlife habitat are broken into smaller pieces. The open space bond cannot only help keep some of the most important pieces of wildlife habitat intact, it can help save some of the connections between the parts of the habitats that do get broken up. Efforts to maintain habitat linkage were the topic of a workshop in Missoula this spring: Building Connections between Wildlife and People: The Application of Wildlife Linkage Across the Northern Rockies Landscape. Although maintaining habitat connections is important for many species of wildlife, I'm most familiar with the importance of connections for the six elk herds that winter on the outskirts of Missoula. These elk spend the summer and fall in the mountains, 10, 20 or 30 miles from Missoula, returning each winter to our five valleys. The open space bond will not only offer a chance to protect some of the most important pieces of winter range, but also the connections between parts of those winter ranges. The large and growing North Hills elk herd provides an example of the importance of these connections. Although the 250-300 elk in the herd have winter range protected on both sides of Grant Creek, none of the lands along the bottom of Grant Creek are protected, so they could end up with two pieces of habitat and not have really an easy way to use that habitat. The herd now crosses in the open space that remains along the creek bottom, primarily between the Gleneagle and Grant Creek Hills subdivisions. If homes walled off that open space, the North Hills herd would find it difficult to use the already protected portions of its winter range effectively. Please help us preserve some options for maintaining habitat connections in Missoula County by putting open space bond on the ballot in November. Switching hats a little bit, Christopher Servheen is professionally the Grizzly Bear Coordinator based in Missoula working for Fish and wildlife service. He's in Washington D.C. this afternoon, but wished to testify about the importance of connectivity for a variety of wildlife in Missoula County and also about the challenges Missoula County faces in keeping its existing open spaces in tact, either through connectivity or through keeping the larger pieces in tact. I won't go into the details of his testimony, which I will submit, but I would like to share his concluding remarks. He wants to imagine Missoula 100 years from now. Imagine Missoula County and the rest of Western Montana 100 years from now with sensitive species, like lynx, wolverine, grizzly bears, wolves and moose. Now imagine these same species gone or confined only to national parks and known only in stories about their former presence. Which Missoula County do we want to live in? If you want to see these species here and healthy in the future, then it is logical to support open space conservation to work out ways to plan site development so that houses are not widely distributed across all private lands, but instead are located with considerations for the resident wildlife and to carefully consider the movement needs of wildlife when considering land development actions. Thank you.

Land Tawney: I'm a fourth generation Montanan, I was born in Helena, but I've lived here for the past 25 years. Thank you for this opportunity to speak to you again. I was here a few weeks ago, like many other people to talk about this bond that is front of you. I'm going to talk to you in two capacities today – first as a hunter and angler here in the Missoula area and then secondly as a land owner. So as a hunter and angler, first of all I grew up watching my father fish, watching him duck hunt and that's really where my conservationism was formed. It was before I could fish, it was before I could hunt, just watching him and following his footsteps. That's where I really got a true appreciation for what we have around us. So, when I look at these spaces and...Ellen Knight talked about this before when she was here...there are all these spaces being developed and there aren't any places for kids close to Missoula for them to experience the outdoors. Not just through binoculars, but also at the end of a rod or behind a trigger. I look at it as if we lose these spaces; we lose the next generation of conservation minded folks. Not only that, but they lose those opportunities to hunt and fish. I think it's our duty to really pass it on, not only to the next generation but many generations to come. The second thing I'd like to speak to is my wife and I recently purchased a house about three years ago just off of Bancroft. We both work very hard and we don't have a lot of money, but I asked her today before I came if she would be willing to put aside one night on the town for us to have some more open space for our kids to enjoy someday and she undoubtedly, yes and I have learned to agree with my wife. So, I full heartedly support that and I'm willing to give up one of my evenings on the town with my wife, which I fully enjoy, just so we can have this open space. I'll leave you with my favorite quote from Theodore Roosevelt, "I admire the man and woman who take the next step, not those who theorize about the 200th," so I ask the County Commissioners to take the next step, put this on the ballot in front of the citizens of the County for them to decide if they want to spend one night less out with their wife and actually have this open space. Thank you.

Mike Mueller: I hesitate to come up here after the last speaker that was a great job. I have three pages, but I'm just going to hand in and let you read them because it's getting so late. But, I do come here in two capacities – one as a resident of Missoula and yes as Grant Parker said, I work for the Rocky Mountain Elk Foundation. We do live in a very unique area. I've been fortunate enough to work across the west in land conservation for about 17 years and these kinds of issues and topics are popping up in County Commissioners offices, Mayors offices and government offices all the time and it's basically to help land owners, ranchers, farmers to stay on the land and help them keep their livelihood and protect the farm and the ranch. Working for a land trust I can tell you we don't have enough resources to do the job, we do need help. We do need these kinds of things to be passed and unfortunately we do have to look to government once in a while for the help. But, we do live in a really unique area. As you look across to the north out the window there, I don't know many other places where within a 10 or 15 minute walk or even from with the Missoula City limits where you can see a herd of 250-300 elk on winter range, or on a September morning hear a bugle of a bull elk during their rutting season. This is a very unique area. I don't think there's very many areas either where you have a major recreational area, the Rattlesnake Wilderness area, within a short distance of a major metropolitan area like this. We're facing some serious challenges with the wildlife resources around the County and around this community. We have wild lands, urban lands interface challenges that are going to take a lot of extraordinary work and resources as well as cooperation from will landowners to fix or else our kids are not going to have the same opportunities that we have today. I have worked with and talked with a lot of landowners and some of them are very generous, they'd love to donate a conservation easement or sell their land sometimes. But, those landowners who donate conservation easements are becoming fewer and fewer. I wish I could say that they're stepping up and wanting to donate easements, it does help with the state taxes and to keep their family lands there so their kids can keep the lands, but unfortunately you have these ranchers and farmers coming under increasing economic development pressures from developers and others to buy those lands and they know what those development rights and lands are worth now and we know how tough it is to run a farm or a ranch today. So, they have to make some tough decisions, do they want to keep their family on the land or do they want to sell a conservation easement? Now, we do need some help with a bond measure and I hope it's on the ballot and we can vote on it. We do need to let Missoulians and the County residents here have an opportunity to vote on this because with these resources, we can do a lot more out there. I just want to read a quote or two, the American Farmland Trust reports that millions of acres will change hands in the next generation. It will likely be the greatest transfer of wealth in the nation's history. High Country News recently reported that in the next decade – that's 10 years – more than 60% of the ranches in the west will change hands. This outcome is likely to be development of the most significant portions of the most fertile and best watered most ecologically significant private lands in existence. So you can see we're under some tremendous pressure here and we only have a short window to get things done. Somebody mentioned leverage and I have to reiterate that leverage is important. We do need some seed dollars to get some more work done. State and Federal funding for programs and private land trusts and private organizations through fundraising can't get the job done. These bond funds, if they're on the ballot and if they're passed, could be available to provide seed funds. There are a lot of (inaudible) programs such as the Farm Land Protection program that I believe, if there are funds available, that program is set up by the NRCS and the U.S. government to help protect farm land. But the way it works is if a landowner wants to sell his easement, they will pay with federal funds 50% and there has to be a 25% cost share from outside funds and 25% from the landowner. Now the landowner can donate that valued easement, but that 25% which can be hundreds and hundreds of thousands of dollars has to be raised and these funds could be used for programs like that. So you can see how tremendously important those could be to help us with leveraging those to bring millions of dollars into this County that aren't available now. Also, one other important point I would like to point out before I end is land conservation in the County does make economic sense for the people who live here. It's a common misconception that development generates surplus tax base and revenue for the County. The American Farmland Trust has determined through multiple cost of community service studies that the median cost of community services per dollars of revenue raised is for commercial/industrial 27 cents on the dollar, farm and forest land 36 cents on the dollar and for residential development for every dollar of tax brought in they spend a \$1.15 for services provided to those residential areas. These studies show that farm, ranch and forest lands are important commercial land uses that help balance community budgets; we need to keep that in mind. These make sense economically for the County. I just hope that you'll give all of us the opportunity to have a future here and create our own destiny by giving us the opportunity to vote to make some great things happen here in the County. Thank you.

Jean Worthy: From Evaro. Thank you for considering the open space bond now instead of later. Please do put this on the ballot. Land helps to provide our water and produces our food. Preserving open land will be our legacy for our children and for future generations.

Seeing no further discussion, Commissioner Carey closed the hearing.

Mayor John Engen: I too, would like to urge the Commissioners to place this item on the November ballot and I'd really like to thank all of you and your staff as well as all the folks in the City and the County who have worked very hard to put this package together for you to consider it today. It's been a tremendous learning experience for me and it's been a terrific cooperative venture. One of the things that we're all occasionally accused of doing is not working together and I think we're working together here and I really appreciate it, so thank you.

Commissioner Carey: Thank you, Mayor. Julie, did you have a question?

Julie Hacker: I do. It involved the foreverness of a conservation easement. I'm wondering if in the law there is a provision that this stays on the land forever or if the public officials who will take charge of the administration of this have the power sometime down the road, say 30 years from now, to transfer easements, provisions of non-development into developing...or what kind of thing might be in the law that would allow them to undo what some one did 50 years ago? I know some people who have gotten conservation easements on their property specifically because they don't want their kids to change things around. But, I'm wondering if the government would have the opportunity to change things around like the Forest Service sells some land or the County can sell some land or if you could take some of these provisions and transfer them from one place to another? I don't believe...my personal belief is nothing lasts forever and that we're all subject to change and I'm wondering what it says in the law.

Mike Sehestedt: Oddly enough, I have this right at my fingertips. The provision is, if we acquire open space land the County can't divert it or change it from open space unless it's necessary to the public interest not in conflict with the program of comprehensive planning and permitted by the conditions imposed at the time of the conservation easement. Also, other real property of at least equal fair market value and nearly as feasible and equivalent usefulness and location for use as open space land must be substituted within a reasonable period not to exceed three years. So the answer to Julie's question is yes, a piece of ground subject to a conservation easement acquired by City or County under the provisions of this bond issue could be changed to development land but only if it's necessary to the public interest, which is a fairly high standard in and of itself, it's not in conflict with the comprehensive planning for the area permitted by the terms under which the property was acquired. So the property owner could in fact specify that no such exchange is allowable and finally if it does happen it can only happen if there is a substitution of equal value both in terms of market value conservation and utility value in terms of its usefulness as open space – considering all the reasons you acquire open space. Does that respond to your question?

Julie Hacker: Yes, that answers my question. The other thing I want to find out is how much administrative work would the government have to do towards someone who has a conservation easement on their property? In other words, would the person who has the easement on their property be required to submit paperwork and have a minder come and inspect your operation, that kind of thing, in the administration of the easement itself?

Mike Sehestedt: Okay, I'll try to answer this....maybe Wendy can help me with this. The answer, Julie is that once a conservation easement is given or purchased, given to or purchased by the government or a nonprofit agency, the government at least and the nonprofit also, as stewards, have an obligation to see that the property is not converted. If somebody sells us an open space easement and then in the back hollow sets up a mobile home park in violation of the terms of that easement we bought we've got a major issue. I believe that ordinarily these provide for a reasonable right of inspection and of course because they are legal documents, they're enforceable. I don't know what the practice is in the private sector for acquired conservation easements. We would not, as a government, I think it has happened sometimes when a conservation easement is donated through a private sector group there is a fee for ongoing monitoring and maintenance contribution are required. That probably would not be a part of ours because we're going to be paying cash out to acquire them, but I'd welcome any further comment from either Pat or Wendy.

Wendy Ninteman: Pat might be more appropriate because I think when a landowner decides to negotiate the conservation easement with the County or the City; it's their choice as to who they want to hold the easement. So, it is very different when they're working with a private nonprofit like Five Valleys where....Julie you and I have talked a lot about this, where we do come out once a year and we do monitor the property and we do hold them in perpetuity and there's restrictions in there that say if something happens to us the landowner and Five Valley's together we're going to designate who's going to take it from there. In some landowners case they don't want the government ever to take their land....Pat you might want to address as far as from the County's perspective.

Pat O'Herren: Yeah, I think....Mike I think gave a good summary, Julie. The County is most interested in seeing these dollars stretch as far a possible. So our hope is that the conservation easements do come in front of the County Commissioners will come from the private sector who will be absorbing most of the costs of those easements. I think far and away most of the projects will come out of the private sector rather than be originated by County purchase of land itself or County easements.

Commissioner Evans: I think you all know that we support open space and we try to protect the things that make Missoula County a great place to live. I'm willing to put this on the ballot and allow the folks to make that determination because while we're elected to represent all of you and all the folks who are out there, we can't read everybody's mind and it is democracy in action to allow the folks to vote on an issue. So I'm willing to put it on the ballot and I do recommend an addition to the language that has been submitted. Who all has this language, Ann Mary? Does the audience have it?

Ann Mary Dussault: No, just the three of you.

Commissioner Evans: Then I'd like to explain to the public what I am suggesting here. This is a whereas document and I won't bore you with the entire paragraph. There was a sentence in here that determines that \$5 million will be allocated to the County and \$5 million allocated to the City and then it says, 'which bonds shall bear interest at the rate to be determined by the board,' I move that we add the wording of, 'at a competitive sale,' payable semi-annually, blah blah blah. The reason I want that in there is if you say that the bond interest is going to be determined by the board, then we could say 20%, 2%, whatever. We don't have the power to determine the interest rates; the folks who are buying the bonds have that power. So at a competitive sale we would pick the one that would be the best interest rate most likely and that is just an explanatory sentence and I move that addition be made to the language.

Commissioner Evans moved to add the wording, 'at a competitive sale' in all the appropriate places in the language of the bond resolution. Commissioner Curtiss seconded. The motion carried on a vote of 3-0.

Mike Sehestedt: That will be inserted at all the appropriate places in the resolution.

Commissioner Evans: Yes, thank you.

Commissioner Carey: We were asked today to consider adding community gardens to what we would be conserving. I think it would be proposed to be read as, 'conserving working ranches, farms, community gardens and forest.' Do you know whether or not this over extends the bond councils suggested language?

Mike Sehestedt: I've looked at the purposes for which we can issue these open space bonds and I don't think that even as creative as you know I am, I can construct language under this authorizing statue that would work to do that. While I think it's a worthy goal, it's beyond the scope of what we can do under this authorization.

Commissioner Carey: Thank you.

Commissioner Curtiss: I think that Neva made an important point however that this is one of the tools that will be coming to us from the Working Lands Group and they'll presenting that to us on the 30th. So, it is an important thing to be able to preserve the ability to have farms and gardens for the community to use so we'll be looking at that during that process.

Commissioner Evans moved to submit to the electors of Missoula County the consideration and decision as to whether or not to establish an open space bond in the amount of \$10 million at the general election ballot in November. And to authorize chair and board to execute such documents in furtherance of this decision is maybe deemed necessary by bond council. Commissioner Curtiss seconded. The motion carried on a vote of 3-0.

Commissioner Evans: Is there anything the Mayor would like to say to this before we make a final vote?

Mayor John Engen: No ma'am.

Seeing no further business, Commissioner Carey recessed the hearing at 2:50 p.m.