

The Board of County Commissioners approved the format of their meeting minutes as summary minutes. While in the process of moving to audio/summary minutes with time stamps, the Commissioners' Office will provide summary minutes and a Windows Media Player audio file online. **The time stamps noted on the document will not work.** They can, however, serve as an approximate counter for the Windows Media Player file (convert the time stamp to a counter by subtraction). For example, the time stamp may read 1:29:38 PM, which would be 0 minutes on the Windows Media Player counter. The time stamp next to the item you want to listen to may read 2:53:56, which would be about 1:24 on the counter (2:53 minus 1:29). You can then pull the "seek" button on the Windows Media Player to the approximate time).

PUBLIC MEETING
BOARD OF COUNTY COMMISSIONERS
WEDNESDAY, AUGUST 20, 2008 – 1:30 P.M.
ROOM 201 –COURTHOUSE ANNEX
MINUTES

1. CALL TO ORDER

[1:29:38 PM](#) Chair Jean Curtiss called the meeting to order at 1:30 p.m.

Commissioners Present: Chairman Jean Curtiss, Commissioner Bill Carey and Commissioner Larry Anderson. Absent: None.

Staff Present: Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, and Deputy County Attorney Mike Sehestedt.

2. [1:29:43 PM](#) PLEDGE OF ALLEGIANCE

3. [1:30:05 PM](#) PUBLIC COMMENT

4. ROUTINE ADMINISTRATIVE ACTIONS

a. [1:30:15 PM](#) Weekly Claims Lists (\$1,192,914.05)

[1:30:20 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,192,914.05. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

5. BID AWARDS (Public Works)

[1:30:29 PM](#) Chair Jean Curtiss opened the bid awards.

a. Remick Creek Road Project

[1:30:36 PM](#) Greg Robertson presented the [staff report](#).

[1:31:58 PM](#) Executive Session

[1:32:47 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners award the bid to Spooner Construction for the Remick Creek Road Project in the amount of \$66,280.00 as the lowest and most responsive bidder. Commissioner Bill Carey seconded the motion.

[1:32:55 PM](#) Public Comment

[1:32:58 PM](#) The motion carried on a vote of 3-0.

b. Hydraulic Track Excavator

[1:33:02 PM](#) Greg Robertson presented the [staff report](#).

[1:34:09 PM](#) Executive Session

[1:34:39 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners award the bid to Western States Equipment for the purchase of a medium hydraulic track excavator in the amount of \$129,873.00 as the lowest and most responsive bidder. Commissioner Larry Anderson seconded the motion.

[1:34:48 PM](#) Public Comment

[1:34:50 PM](#) The motion carried on a vote of 3-0.

c. Bike/Ped Trail Sweeper

[1:34:53 PM](#) Greg Robertson presented the [staff report](#).

[1:35:46 PM](#) Executive Session

[1:37:37 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners award the bid to Western Plains Equipment for the purchase of a vacuum sidewalk sweeper in the amount of \$73,330.00 as the lowest and most responsive bidder. Commissioner Bill Carey seconded the motion.

[1:37:50 PM](#) Public Comment

[1:37:53 PM](#) The motion carried on a vote of 3-0.

d. Lolo UV Disinfection System Project

[1:37:55 PM](#) Greg Robertson presented the [staff report](#).

[1:39:54 PM](#) Executive Session

[1:43:26 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners award the bid to BN Builders for the Lolo RSID #901 UV Disinfection Project in the amount of \$465,000.00 as the lowest and most responsive bidder. Commissioner Larry Anderson seconded the motion.

[1:43:32 PM](#) Public Comment

[1:43:34 PM](#) The motion carried on a vote of 3-0.

e. Sign Truck

[1:44:09 PM](#) Greg Robertson presented the [staff report](#).

[1:45:27 PM](#) Executive Session

[1:45:47 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners award the bid to Missoula Freightliner for the purchase of a new Class 7 truck chassis in the amount of \$68,451.00 as the lowest and most responsive bidder. Commissioner Bill Carey seconded the motion.

[1:45:59 PM](#) Public Comment

[1:46:01 PM](#) The motion carried on a vote of 3-0.

6. HEARING

a. Emerald Estates (21 lots on 13.34 acres) - Mullan Road, south of Frenchtown

[1:46:20 PM](#) Chair Jean Curtiss opened the hearing.

Janet Rhoades presented the [staff report](#) on [1:46:54 PM](#) [PowerPoint](#) slides.

[2:02:02 PM](#) Elaine Hawk and Jason Rice, Developer's Representatives' presentation, [PowerPoint](#) slides

[2:39:03 PM](#) Public Comment

[2:39:16 PM](#) George Sherwood

[2:42:29 PM](#) Jon Lee, developer

[2:46:29 PM](#) Executive Session

[2:53:56 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners amend a portion of Condition #14 to read, "The subdivider shall install a water supply for fire protection meeting the requirements of Missoula County Subdivision Regulations Article 3.7(1)(a), (b), (c), or (d) in accordance with the Uniform Fire Code, as certified by a professional engineer licensed in the State of Montana. Commissioner Larry Anderson seconded. The motion carried on a vote of 3-0.

[2:54:40 PM](#) Condition #15, cash-in lieu, discussion.

[3:11:54 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners **approve** the variance request from Article 3.3.1(5), prohibiting through-lots to permit Lots 9-12 and 15 to be through-lots, based on the findings of fact in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

[3:12:12 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners **deny** the variance request from Article 3.2.3(3), requiring installation of pedestrian walkways on one side of Emerald Place based on the findings of fact and subject to the recommended conditions of approval in the staff report. Commissioner Larry Anderson seconded the motion. [3:12:31 PM](#) Discussion. [3:13:09 PM](#) The motion carried on a vote of 3-0.

[3:13:11 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners **deny** the variance request from Article 3.2.3(3) requiring installation of pedestrian walkways along Mullan Road adjacent to the subdivision to require installation of pedestrian walkways along the entire frontage of Mullan Road adjacent to the subdivision based on the findings of fact and subject to the recommended conditions of approval in the staff report. Commissioner Larry Anderson seconded the motion. [3:13:33 PM](#) Discussion. [3:15:14 PM](#) The motion carried on a vote of 3-0.

[3:15:17 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners **conditionally approve** the variance request from Article 3.14.3(2) requiring a 50-foot building setback along Mullan Road to permit a 45-foot building setback on Lot 20 and a 35-foot building setback on Lot 21 based on the findings of fact and subject to the recommended conditions of approval in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

[3:15:41 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners **approve** the variance request from Article 3.2.2(6)(1) requiring construction of cul-de-sacs where through streets are not feasible to permit the road design shown on the preliminary plat based on the findings of fact in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

[3:16:00 PM](#) Further discussion on Condition #15.

[3:17:55 PM](#) Five-minute recess for review of Condition of Approval #15 language.

[3:26:43 PM](#) Commissioner Bill Carey left the meeting for another commitment.

[3:27:38 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners amend Condition of Approval #15 to read, "The applicant shall provide proof of payment of cash-in-lieu of parkland, subject to review and approval by County Parks prior to final plat approval or the developer may, subject to the County Commission approval, provide for common area improvements, which allow for active recreation, meeting the needs of area residents." Chair Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

[3:27:54 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners approve the Emerald Estates Subdivision based on the findings of fact and subject to the recommended conditions of approval in the staff report as amended. Chair Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

7. [3:28:19 PM](#) OTHER BUSINESS

8. [3:28:23 PM](#) RECESS

There being no other business to come before the Commissioners, the meeting was recessed at 3:28 p.m.