

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**  
**MISSOULA BOARD OF COUNTY COMMISSIONERS**  
**THURSDAY, NOVEMBER 6, 2008 – 1:30 P.M.**  
**ROOM 201 –COURTHOUSE ANNEX**  
**MINUTES**

**1. CALL TO ORDER**

[1:30:47 PM](#) Chair Jean Curtiss called the meeting to order at 1:30 p.m.

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

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Disaster and Emergency Services Director Bob Reid, and Assistant Public Works Director Chuck Wright.

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS**

a. Weekly Claims Lists for Two Weeks (\$2,083,132.01)

[1:31:27 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$2,083,132.01. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

**5. DECISION (From October 22, 2008 Hearing)**

a. Petition to Partially Relocate & Partially Abandon Portions of a County Road Right-of-Way along Lower Petty Creek

[1:31:40 PM](#) Chair Jean Curtiss opened the decision.

[1:31:58 PM](#) Charles Wright presented the [viewer's report](#) ([staff report](#) from October 22, 2008).

[1:33:06 PM](#) Staff comment, James McCubbin

[1:36:00 PM](#) Staff comment, Greg Robertson

[1:38:44 PM](#) Staff comment, James McCubbin, withdrawal of suggestion to delay

[1:39:46 PM](#) Staff comment, Charles Wright

[1:40:29 PM](#) Staff comment, James McCubbin, suggest to Surveying division to create an exhibit to attach to the resolution

[1:40:55 PM](#) Staff comment, Greg Robertson

[1:42:30 PM](#) Public Comment

[1:42:39 PM](#) David Hill

[1:46:55 PM](#) Peter Dayton

[1:47:12 PM](#) James McCubbin

[1:47:18 PM](#) David Hill

[1:48:08 PM](#) Peter Dayton

[1:49:00 PM](#) Staff comment, Charles Wright

[1:49:21 PM](#) David Hill  
[1:49:29 PM](#) James McCubbin, asked question of Mr. Hill regarding clarification that Mr. Hill is consenting to a public road easement on the western 30 feet of his property as shown on the Certificate of Survey #5591 [no consent here from Mr. Hill]  
[1:50:00 PM](#) David Hill and James McCubbin  
[1:50:32 PM](#) Peter Dayton  
[1:50:51 PM](#) Chair Jean Curtiss  
[1:51:16 PM](#) David Hill  
[1:51:32 PM](#) James McCubbin  
[1:52:32 PM](#) David Hill, would like to have discussion with County regarding right-of-way.  
[1:52:43 PM](#) James McCubbin, language suggestion to accommodate Mr. Hill's concerns.  
[1:53:02 PM](#) Chair Jean Curtiss, James McCubbin, and Peter Dayton  
[1:53:45 PM](#) Public Comment  
[1:53:54 PM](#) Executive Session  
[1:54:24 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the petition to partially relocate and partially abandon portions of a County road right-of-way along Lower Petty Creek, but to exempt David Hill's property as shown on Exhibit B1 as #8 and, further, request the Surveyors' Department to create an exhibit to be attached to the resolution, showing the exact areas to partially relocate and partially abandon. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

## 6. HEARING (Certificate of Survey)

- a. Scullion Family Transfer  
[1:55:19 PM](#) Chair Jean Curtiss opened the hearing.  
[1:55:31 PM](#) James McCubbin presented the [staff report](#).  
[1:58:36 PM](#) James McCubbin questioned the applicant, William Scullion  
[2:05:02 PM](#) Questions from Commission [2:07:08 PM](#) [Correction on staff report: both used for commercial purposes, not residential purposes.]  
[2:07:32 PM](#) Public Comment  
[2:07:37 PM](#) Executive Session  
[2:07:39 PM](#) Commissioner Larry Anderson made a motion that the Board of County Commissioners approve the request by William and Monica Scullion to create one additional 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 Bill Carey seconded the motion. The motion carried on a vote of 3-0.

## 7. HEARING

- a. Petition to Abandon a Portion of El Way Road Utility Easement in Alpine Addition  
[2:08:13 PM](#) Chair Jean Curtiss opened the hearing.  
[2:08:49 PM](#) Chuck Wright presented the [staff report](#).  
[2:09:42 PM](#) Public Comment  
Executive Session  
[2:09:49 PM](#) Site visit to be done by Chair Jean Curtiss. Hearing recessed until November 12, 2008.

## 8. HEARING

- a. Title III Fuel Mitigation Request (Seeley Lake Rural Fire Department)  
[2:11:28 PM](#) Chair Jean Curtiss opened the hearing.  
[2:11:42 PM](#) Bob Reid presented the [staff report](#).  
[2:12:21 PM](#) Questions from Commission  
[2:13:15 PM](#) Public Comment

[2:13:17 PM](#) Executive Session

[2:13:27 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the allocation of Title III fuels mitigation funds to Seeley Lake Rural Fire as presented in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 3-0.

9. [2:13:38 PM](#) **OTHER BUSINESS**

10. [2:13:42 PM](#) **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:13 p.m.