

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
WEDNESDAY, NOVEMBER 19, 2008 – 1:30 P.M.
ROOM 201 – COURTHOUSE ANNEX
A G E N D A

1. CALL TO ORDER

[1:32:16 PM](#) Commissioner Larry Anderson called the meeting to order at 1:30 p.m.
Commissioners Present: Commissioner Bill Carey. Absent: Chair Jean Curtiss.

Staff Present: Acting Chief Civil Deputy County Attorney Marnie McClain and Office of Planning and Grants Planner Michele Reinhart.

2. [1:32:27 PM](#) PLEDGE OF ALLEGIANCE

3. [1:32:59 PM](#) PUBLIC COMMENT

4. ROUTINE ADMINISTRATIVE ACTIONS

- a. Weekly Claims List for One Week (\$1,082,435.92)
[1:33:16 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$1,082,435.92. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

5. HEARINGS (Certificates of Survey)

- a. Wall (William) Family Transfer
[1:33:27 PM](#) Commissioner Larry Anderson opened the hearing.
[1:33:41 PM](#) Marnie McLain presented the [staff report](#).
[1:34:56 PM](#) Marnie McLain questioned the applicant, Carol Evans
[1:37:26 PM](#) Questions from Commission
[1:38:11 PM](#) Public Comment
[1:38:17 PM](#) Executive Session
[1:38:22 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the request by William Wall and Carol Evans 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 Larry Anderson seconded the motion. [1:38:40 PM](#) Discussion.
[1:39:28 PM](#) The motion carried on a vote of 2-0.
- b. Hanson (Barbara) Family Transfer
[1:39:46 PM](#) Commissioner Larry Anderson opened the hearing.
[1:40:13 PM](#) Marnie McLain presented the [staff report](#).
[1:41:24 PM](#) Marnie McLain questioned the applicant, Barbara Hanson
[1:43:05 PM](#) Questions from Commission
[1:43:13 PM](#) Public Comment

[1:43:19 PM](#) Executive Session

[1:43:24 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the request by Barbara J. Hanson 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 Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

6. CONSIDERATION

- a. Hogan's Acres Subdivision (3 lots on 1.53 acres) near intersection of South Avenue & Clements

[1:43:55 PM](#) Commissioner Larry Anderson opened the hearing.

[1:44:06 PM](#) Michele Reinhart presented the [staff report](#), [PowerPoint presentation](#).

[1:54:19 PM](#) Developer's Representative, Andy Short, Territorial-Landworks, Inc., presentation ([PowerPoint presentation](#))

[2:06:19 PM](#) Public Comment

[2:06:32 PM](#) Peggy Morrison

[2:08:16 PM](#) Executive Session

[2:08:34 PM](#) Staff comment, Michele Reinhart, Target Range Sewer District concerns, water supply for fire condition, and pedestrian logos and striping

[2:13:42 PM](#) Developer's Representative comment, Andy Short, fencing along South Avenue and irrigation ditch

[2:15:44 PM](#) Staff comment, Michele Reinhart, pedestrian facilities

Public Comment

[2:18:36 PM](#) Cathie Cichosz

[2:19:46 PM](#) Findings of Fact/Condition discussion

[2:19:57 PM](#) Staff comment, Michele Reinhart, articulate findings and conclusions then staff to bring forward for approval at a Planning Status meeting

[2:20:14 PM](#) Pedestrian Access, Findings of Fact #6 and Condition #6 discussion

[2:22:03 PM](#) Staff comment, Michele Reinhart, RSID/SID statement

[2:22:27 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners delete Condition of Approval #8, which reads, "Plans for painting pedestrian logos and striping to designate the 12 ft. wide non-motorized pathway located along the Clements Road shoulder adjacent to the subdivision shall be reviewed and approved by County Public Works prior to final plat approval." Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

[2:22:38 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners to delete Condition of Approval #6, which reads, "Plans for constructing a minimum 6 ft. wide paved pedestrian walkway separated from the road surface by a minimum 10 ft. wide landscaped boulevard/drainage swale along the subdivision frontage adjacent to South Avenue shall be reviewed and approved by County Public Works prior to final plat approval. The walkway shall be contained in a minimum 20 ft. wide Public Access and Utility Easement dedicated with the final plat" and to direct staff to draft language that would provide a 20-foot easement along the northern edge of South Avenue. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

[2:23:35 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners replace Condition of Approval #8 with language requiring RSID for pedestrian facilities on South Avenue. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

2:24:12 PM Commissioner Bill Carey made a motion that the Board of County Commissioners approved the variance request from Article 3.2.3(3) requiring installation of pedestrian walkways along the perimeter of the subdivision that abuts a public road, so a pedestrian walkway is not required on the north side of South Avenue adjacent to the subdivision. 2:25:21 PM Findings of Fact discussion. 2:26:30 PM Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

2:26:38 PM Commissioner Bill Carey made a motion that the Board of County Commissioners approve the variance request from Article 3.2.3(3) requiring installation of pedestrian walkways along the perimeter of the subdivision that abuts a public road so that a pedestrian walkway is not required on the west side of Clements Road adjacent to the subdivision, based on the findings of fact in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

2:27:01 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 the onsite road to require a minimum 5 ft. wide paved pedestrian walkway separated from the road with a drainage swale within a private access easement on the east side of onsite Road A, based on the findings of fact and subject to the conditions of approval in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

2:27:29 PM Commissioner Bill Carey made a motion that the Board of County Commissioners approve the Hogan Acres Subdivision, based on the amended findings of fact and subject to the recommended amended conditions of approval found in the staff report. Commissioner Larry Anderson seconded the motion. The motion carried on a vote of 2-0.

7. 2:28:01 PM **OTHER BUSINESS**

8. 2:28:04 PM **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:28 p.m.