

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, APRIL 22, 2009 – 1:30 P.M.**  
**ROOM 201 – COURTHOUSE ANNEX**  
**A G E N D A**

**1. CALL TO ORDER**

1:30:50 PM Commissioner Jean Curtiss called the meeting to order at 1:30 p.m.  
Commissioners Present: Commissioner Jean Curtiss and Commissioner Michele Landquist. Absent: Chair Bill Carey.

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox and Survey Technician Steve Smith, County Parks Coordinator Lisa Moisey, and Missoula County/Seeley Lake Water District Manager Vince Chapel.

**2. 1:30:55 PM PLEDGE OF ALLEGIANCE**

**3. 1:31:20 PM PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS**

a. Weekly Claims List - \$631,212.27

1:31:32 PM Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$631,212.27. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

**5. BID AWARD (Public Works)**

a. Dust Abatement

1:31:45 PM Acting Chair Jean Curtiss opened the hearing.

1:31:50 PM Greg Robertson presented the staff report.

1:32:41 PM Public Comment

1:32:49 PM Questions from Commission

Executive Session

1:33:00 PM Commissioner Michele Landquist made a motion that the Board of County Commissioners award the contract to W.E. Dust Control & Deicing, Inc. in the amount of \$219,396 to dust abate approximately 82 miles of county-maintained road as presented in the staff report . Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

1:33:20 PM Commissioner Jean Curtiss, Commissioner Michele Landquist, and Greg Robertson

## 6. HEARINGS (Certificates of Survey)

- a. Staninger (Ken) Family Transfer (Postponed from February 4, 2009)  
[1:34:00 PM](#) Commissioner Jean Curtiss opened the hearing.  
[1:34:19 PM](#) James McCubbin reviewed the [staff report](#) from the [February 4, 2009](#) hearing). [1:35:12 PM](#) Discussion of confirmation of transfer of property from LLC to Ken Staninger  
[1:36:23 PM](#) James McCubbin questioned the applicant, Ken Staninger.  
[1:39:06 PM](#) Questions from Commission  
Executive Session  
[1:40:38 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Ken Staninger 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 contingent upon confirmation of transfer of property from River Rock LLC to Ken Staninger. Commissioner Jean Curtiss seconded the motion.  
[1:41:01 PM](#) Public Comment.  
[1:41:08 PM](#) Ken Staninger  
[1:41:37 PM](#) The motion carried on a vote of 2-0.  
[1:41:54 PM](#) Staff comment, James McCubbin, confirm with Clerk & Recorder, recorded transfer before sending out approval letter.
- b. Holbrook (Allen) Family Transfer  
[1:42:12 PM](#) Commissioner Jean Curtiss opened the hearing.  
[1:42:29 PM](#) James McCubbin presented the [staff report](#).  
[1:43:29 PM](#) Applicant representative, Ken Jenkins  
[1:45:53 PM](#) Questions from Commission  
[1:45:58 PM](#) Ken Jenkins and Commissioner Jean Curtiss  
[1:46:28 PM](#) Staff comment, James McCubbin  
[1:46:53 PM](#) James McCubbin questioned the applicant, Allen Holbrook  
[1:48:14 PM](#) Questions from Commission  
[1:48:23 PM](#) Staff comment, James McCubbin, Commissioner Jean Curtiss, Commissioner Michele Landquist and Allen Holbrook  
[1:48:58 PM](#) Public Comment  
[1:49:03 PM](#) Executive Session  
[1:49:37 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Allen Holbrook 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 Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

## 7. HEARING

- a. Petition to Abandon a Portion of Marigold Drive (from Snapdragon Drive/Honeysuckle Lane to Marigold Court) - Running W Ranch and Spring Meadows Subdivisions  
[1:50:02 PM](#) Commissioner Jean Curtiss opened the hearing.  
[1:50:33 PM](#) Kim Cox verified the [petition](#)  
[1:50:55 PM](#) Commissioner Jean Curtiss  
[1:51:06 PM](#) Aimee Pier, petitioner and Questions from Commission  
[1:57:07 PM](#) Public Comment  
[1:57:28 PM](#) Dean Buffington  
[1:59:23 PM](#) Kelly Banzet

[2:00:16 PM](#) Staff comment, Lisa Moisey, consider retaining a minimum of 20-foot non-motorized easement to ensure continued non-motorized pedestrian circulation  
[2:01:01 PM](#) Dean Buffington  
[2:01:50 PM](#) Ameer Pier  
[2:02:06 PM](#) Commissioner Michele Landquist and Commissioner Jean Curtiss  
[2:02:31 PM](#) Staff comment, James McCubbin  
[2:06:02 PM](#) Commissioner Jean Curtiss comment and Steve Smith, staff report.  
[2:06:37 PM](#) Kyle Thompson, WGM Group  
[2:06:50 PM](#) Questions from Commission  
[2:07:25 PM](#) Aimee Pier  
[2:07:53 PM](#) Staff comment, James McCubbin  
[2:08:22 PM](#) Questions from Commission  
[2:08:48 PM](#) Staff comment, James McCubbin  
[2:09:27 PM](#) Commissioner Jean Curtiss, process explanation  
[2:09:57 PM](#) Site visit discussion  
[2:11:51 PM](#) Site visit, Friday, April 24, Commissioner Michele Landquist and Greg Robertson  
[2:14:34 PM](#) Hearing continued to May 13, 2009

## 8. HEARINGS

- a. Consider Request by Seeley Lake Missoula County Water District to Install Water Mains within County Right-of-Way
- [2:15:02 PM](#) Commissioner Jean Curtiss opened the hearing.  
[2:15:30 PM](#) Vince Chapel presented the [staff report](#).  
[2:18:52 PM](#) Dan Lozar, TD & H, Kalispell ([PowerPoint](#))  
[2:28:39 PM](#) Questions from Commission  
[2:28:58 PM](#) Staff comment, Greg Robertson  
[2:31:25 PM](#) Vince Chapel  
[2:33:09 PM](#) Staff comment, Pat O'Herren  
[2:34:32 PM](#) Public Comment  
[2:34:36 PM](#) Executive Session  
[2:34:47 PM](#) Commissioner Jean Curtiss  
[2:34:52 PM](#) Staff comment, Greg Robertson  
[2:35:50 PM](#) Commissioner Michele Landquist  
[2:36:32 PM](#) Commissioner Jean Curtiss  
[2:36:41 PM](#) Vince Chapel and Commissioner Jean Curtiss  
[2:38:52 PM](#) Staff comment, Greg Robertson  
[2:39:03 PM](#) Commissioner Michele Landquist  
[2:39:30 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Seeley Lake Missoula County Water District to install water mains within Missoula County right-of-way as indicated in the staff report. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.
- b. Consider Request by Mountain Home Montana to Extend Sewer Main along South Avenue within County Right-of-Way
- [2:40:01 PM](#) Commissioner Jean Curtiss opened the hearing. ([Staff Report](#))  
[2:41:30 PM](#) Molly Skorpik, Morrison Mahler  
[2:45:28 PM](#) Commissioner Michele Landquist comment  
[2:46:02 PM](#) Gypsy Ray, Director, Mountain Homes  
[2:47:20 PM](#) Staff comment, Greg Robertson  
[2:52:44 PM](#) Staff comment, James McCubbin

[2:53:21 PM](#) Staff comment, Greg Robertson and James McCubbin  
[2:55:25 PM](#) Public Comment  
[2:55:29 PM](#) Molly Skorpik  
[2:57:09 PM](#) Staff comment, James McCubbin, suggested bond from contractor  
[2:58:04 PM](#) Commissioner Jean Curtiss  
[2:58:33 PM](#) Greg Robertson and Commissioner Jean Curtiss  
[2:59:57 PM](#) Staff comment, James McCubbin  
[3:01:42 PM](#) Commissioner Jean Curtiss and James McCubbin  
[3:01:55 PM](#) Staff comment, Greg Robertson, language suggestion  
[3:02:20 PM](#) Staff comment, James McCubbin  
[3:03:35 PM](#) Commissioner Jean Curtiss and Greg Robertson, performance bond  
[3:03:50 PM](#) Staff comment, James McCubbin, language suggestion  
[3:04:20 PM](#) Discussion on bond and language suggestion  
[3:07:08 PM](#) Molly Skorpik, clarification of condition  
[3:07:21 PM](#) Commissioner Jean Curtiss and Molly Skorpik, recommended language from Ms. Skorpik  
[3:07:45 PM](#) Greg Robertson and Commissioner Jean Curtiss, language suggestion  
[3:08:05 PM](#) Commissioner Jean Curtiss read language

[3:08:34 PM](#) Executive Session

[3:08:55 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request from Mountain Homes to extend a sewer main from their property along South Avenue to the Community Medical Center lift station as requested in the staff report with the conditions that the petitioner obtain a letter from the City of Missoula stating that the city will accept ownership and maintenance of the main extension including any surface restoration as a result of settlement and/or a statement honoring their March 9, 2004 letter OR a performance bond that would benefit Missoula County should settling occur with two years or the warranty period in a format approved by Missoula County Public Works; in order to minimize settlement and to protect the integrity of the upcoming overlay by the Montana Department of Transportation, the open cut restoration will include at least two feet of controlled density fill or other suitable fill as approved by Missoula County Public Works immediately below the pavement/crushed surfacing for the width and length of the trench. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 2-0.

9. [3:11:06 PM](#) **OTHER BUSINESS**

[3:11:09 PM](#) Commissioner Jean Curtiss, crosswalk discussion for above hearing with Greg Robertson

10. [3:11:45 PM](#) **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:11 p.m.