

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, AUGUST 5, 2009 – 1:30 P.M.
ROOM 201 – COURTHOUSE ANNEX
MINUTES

1. CALL TO ORDER

[1:30:51 PM](#) Chair Bill Carey called the meeting to order.

Commissioners Present: Commissioner Jean Curtiss, Chair Bill Carey and Commissioner Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, Office of Planning & Grants Planner Tim Worley, and Survey Technician Steve Smith.

2. [1:30:55 PM](#) PLEDGE OF ALLEGIANCE

3. [1:31:19 PM](#) PUBLIC COMMENT

[1:31:34 PM](#) Dave Adkins

[1:46:18 PM](#) Angela Far

[1:50:36 PM](#) Kim Bagnell

4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

a. Weekly Claims List - \$769,902.08

[1:53:27 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$769,902.08. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

b. [1:53:40 PM](#) Public Announcements

5. DECISION (from [3/18/09 Hearing](#); continued from [April 29, 2009](#), continued from [May 20, 2009](#), continued from [6/3/09](#) where [Revised Proposal from City](#) was presented)

a. Petition to Abandon a Portion of a Public Highway Easement - Parallel to Miller Creek Road

[1:54:36 PM](#) Chair Bill Carey opened the hearing.

[1:55:04 PM](#) Kevin Slovarp, City Engineer

[1:58:29 PM](#) Questions from Commission

[1:59:32 PM](#) Staff comment, James McCubbin and Commissioner Jean Curtiss

[2:01:44 PM](#) Commissioner Jean Curtiss presented the [supplemental viewer's report](#).

[2:02:48 PM](#) Staff comment, James McCubbin, clarification of viewer's report

[2:03:25 PM](#) Public Comment

[2:03:35 PM](#) Bob Cole

[2:05:21 PM](#) Jeremy Kein, WGM and Bob Cole

[2:05:58 PM](#) Commissioner Jean Curtiss, and Bob Cole
[2:06:53 PM](#) Staff comment, James McCubbin
[2:07:34 PM](#) Dori Belko
[2:08:14 PM](#) Commissioner Jean Curtiss and Dori Belko
[2:08:40 PM](#) Staff comment, James McCubbin
[2:08:51 PM](#) Norm Belko
[2:09:35 PM](#) Deb Cole
[2:10:20 PM](#) Monte Sipe, City Engineering
[2:11:18 PM](#) Jim Calcaterra
[2:13:07 PM](#) Harriett Calcaterra
[2:14:03 PM](#) Commissioner Jean Curtiss
[2:14:09 PM](#) Staff comment, James McCubbin and Commissioner Jean Curtiss
[2:15:27 PM](#) Executive Session
[2:15:33 PM](#) Commissioner Michele Landquist
[2:15:45 PM](#) Commissioner Jean Curtiss and Commissioner Michele Landquist
[2:16:03 PM](#) Staff comment, Steve Smith
[2:16:29 PM](#) Staff comment, James McCubbin
[2:17:35 PM](#) Commissioner Jean Curtiss and Staff comment, Steve Smith
[2:18:02 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners abandon the certain portions of the 1896 petitioned right-of-way that is outlined in blue on the May 2009 exhibit that will be attached to the resolution, which includes the right-of-way per Book of Deeds 155, Page 60 that was shown as orange on Lower Miller Creek Road on the maps dated November 2008, contingent upon the City of Missoula securing all necessary slope easements. The abandonment becomes effective when slope easements are recorded. [2:18:59 PM](#) Staff comment, James McCubbin, clarification of motion.
[2:19:40 PM](#) Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

6. DECISION (from [7/29/09 Hearing](#))

- a. [Petition to Abandon](#) a Portion of a Public Road per Plat Book 1 (located in Section 11, T11N, R20W) - West of Highway 93, near Manor Boulevard in Lolo
[2:21:14 PM](#) Chair Bill Carey opened the hearing.
[2:21:42 PM](#) Steve Smith and Commissioner Michele Landquist presented the [Viewer's Report](#). ([Staff report](#) from [July 29, 2009](#) meeting)
 Executive Session
[2:22:46 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners abandon that portion of a certain county road described as a public road per Road Plat Book 1 on the abandonment petition and depicted on the attached exhibit titled Exhibit A, Page Two. Commissioner Jean Curtiss seconded the motion. [2:23:01 PM](#) Public Comment. [2:23:16 PM](#) The motion carried on a vote of 3-0.

7. HEARING

- a. Rezoning for Canyon Creek Village PUD Amendment ([verbatim transcription](#))
[2:23:23 PM](#) Chair Bill Carey opened the hearing.
[2:23:39 PM](#) Tim Worley presented the [staff report](#) and [Planning Board Recommendations](#). ([PowerPoint](#))
[2:29:57 PM](#) Public Comment
[2:30:02 PM](#) Perry Ashby, Wesmont
[2:30:36 PM](#) John Yorkin
[2:30:46 PM](#) Deanne Yorkin

[2:30:55 PM](#) Executive Session

[2:30:59 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the proposed text amendments to Subdistrict No. 3 of the Canyon Creek Village PUD Zoning standards as shown in Attachment B, to delete the maximum gross density of 25 dwellings per acre and allow 36 units maximum as presented in the staff report. [2:31:22 PM](#) Commissioner Michele Landquist seconded the motion. [2:31:51 PM](#) Staff comment, Tim Worley. [2:32:43 PM](#) Discussion. [2:33:10 PM](#) The motion carried on a vote of 3-0.

[2:33:13 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the proposed text amendments to Subdistrict No. 5 of the Canyon Creek Village PUD Zoning standards, in order to delete churches as a Special Exception and allow them as a Conditional Use as presented in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[2:33:35 PM](#) Commissioner Jean Curtiss and Commissioner Michele Landquist comment

8. [2:33:48 PM](#) **OTHER BUSINESS**

9. [2:33:51 PM](#) **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:33 p.m.