

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, JUNE 3, 2009 – 1:30 P.M.**  
**ROOM 201 – COURTHOUSE ANNEX**  
**MINUTES**

**1. CALL TO ORDER**

[1:30:19 PM](#) Chair Bill Carey called the meeting to order at 1:30 p.m.

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

Staff Present: Deputy County Attorney James McCubbin, Public Works Director Greg Robertson, and Office of Planning and Grants Planner John Newman.

**2. [1:30:27 PM](#) PLEDGE OF ALLEGIANCE**

**3. [1:30:47 PM](#) PUBLIC COMMENT**

**4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS**

a. Weekly Claims List - \$270,310.28

[1:31:02 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$270,310.28. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

b. [1:31:11 PM](#) Public Announcements

**5. PROCLAMATION**

a. UM Retirees Day

[1:32:53 PM](#) Commissioner Jean Curtiss read the [proclamation](#).

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

a. ~~Trail Project on Roman Creek Road~~ **POSTPONED**

**7. HEARING (Certificate of Survey)**

a. Denman (George) Family Transfer

[1:34:01 PM](#) Chair Bill Carey opened the hearing.

[1:34:14 PM](#) Kristin Wood, co-owner of property

[1:34:29 PM](#) James McCubbin presented the [staff report](#). [1:35:11 PM](#) Subdivision and Platting Act, Family Transfer Exemption definition of immediate family member, recipient not immediate family member to Ms. Wood, therefore question of eligibility for exemption. [1:38:03 PM](#) Recommendation to postpone family transfer  
[1:38:22 PM](#) Questions from Commission

[1:38:32 PM](#) Discussion of date to continue hearing

Executive Session

[1:40:24 PM](#) Hearing continued to July 8, 2009

## 8. CONSIDERATION

- a. Double 'R' Acres, Block 1, Lot 1 (2 lots on 2.42 acres) - Orchard Homes Area (7th Street, west of Clements) ([verbatim transcription](#))

[1:40:31 PM](#) Chair Bill Carey opened the hearing.

[1:40:50 PM](#) John Newman presented the [staff report](#). ([PowerPoint](#))

[1:49:40 PM](#) Developer's representative presentation, Ken Jenkins

[1:57:14 PM](#) Questions from Commission

[2:00:23 PM](#) Dean Gingrich, property owner

[2:01:52 PM](#) Public Comment

[2:02:03 PM](#) Dick Haines

[2:03:24 PM](#) Staff comment, James McCubbin

Executive Session

[2:05:05 PM](#) Commissioner Jean Curtiss

[2:07:47 PM](#) Commissioner Michele Landquist

[2:07:52 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners delete Condition of Approval #1, which reads, "The subdivider shall dedicate a 14 ft.-wide public non-motorized access easement along the entire length of South 7th Street West adjacent to the subdivision subject to review and approval by OPG prior to final plat approval." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[2:08:00 PM](#) Commissioner Michele Landquist

[2:09:41 PM](#) Ken Jenkins, Commissioner Michele Landquist and Commissioner Jean Curtiss

[2:11:56 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners delete Finding of Fact #11 under Pedestrian Access, which reads, "A condition of approval requires the applicant to dedicate a 14 ft.-wide public non-motorized access easement along the entire length of South 7th Street West adjacent to the subdivision subject to review and approval by OPG prior to final plat approval. The easement will be contained within the 25-ft. wide front-yard setback and will facilitate expansion of the non-motorized walkway begun with Mace Subdivision in the future." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[2:12:23 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Conclusion of Law #2 under Pedestrian Access to read, "Adoption of the recommended condition of approval will enhance public health and safety, increase pedestrian connectivity, and further the goals and objectives of accepted Missoula County land use and transportation plans and these goals can be met with the existing right-of-way on the north side of Seventh Street."

[2:12:56 PM](#) Staff comment, James McCubbin, recommended change in motion,

"The regulatory requirement for an RSID/SID waiver will enhance public health and safety, increase pedestrian connectivity, and further the goals and objectives of accepted Missoula County land use and transportation plans and these goals can be met with the existing right-of-way on the north side of Seventh Street."  
2:15:08 PM Commissioner Jean Curtiss accepted the recommended change. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

2:15:23 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve Double 'R' Acres, Block 1, Lot 1 Subdivision based on the findings of fact and subject to the recommended conditions of approval as amended in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

2:15:55 PM Meeting recessed for five minutes

2:21:35 PM Meeting reopened

**9. DECISION (from [3/18/09](#) Hearing; continued from [5/20/09](#))**

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

2:21:39 PM Chair Bill Carey opened the hearing.

2:21:56 PM Greg Robertson reviewed previous hearings and gave an update.

2:24:51 PM Recommendation from Greg Robertson

2:26:03 PM WGM presentation, Jeremy Keen ([PowerPoint](#), [Revised Option](#))

2:45:57 PM Kevin Slovarp, City Engineer

2:47:00 PM Commissioner Comments

2:48:52 PM Public Comment

2:49:01 PM Ken Rolf, Commissioner Jean Curtiss, and Monte Sipe, City staff

2:50:57 PM Deb Cole, Jeremy Keen, and Greg Robertson

2:56:58 PM Jeremy Keen and Deb Cole

2:58:11 PM Commissioner Michele Landquist

2:58:18 PM Staff comment, James McCubbin

2:58:39 PM Commissioner Jean Curtiss and Deb Cole

2:59:34 PM Staff comment, Greg Robertson

3:00:09 PM Jeremy Keen, Greg Robertson, and Deb Cole

3:00:53 PM Deb Cole, James McCubbin, and Deb Cole

3:02:54 PM Deb Cole, Commissioner Jean Curtiss, and James McCubbin

3:05:57 PM Vicky Gordon and Jeremy Keen

3:11:48 PM Jim Calcaterra and Jeremy Keen

3:12:54 PM Jim Calcaterra, Greg Robertson, and Jeremy Keen

3:21:09 PM Jim Calcaterra, Greg Robertson, and Commissioner Jean Curtiss

3:24:41 PM Lauren Gray, Jeremy Keen, Commissioner Jean Curtiss, and James McCubbin

Questions from Commission

3:35:11 PM Commissioner Michele Landquist and Jeremy Keen

3:38:09 PM Monte Sipe, City and Commissioner Michele Landquist

3:40:39 PM Discussion

3:43:21 PM Staff comment, James McCubbin and Commissioner Michele Landquist

3:46:36 PM Commissioner Jean Curtiss, Jeremy Keen, and Greg Robertson

Public Comment

3:48:24 PM Ken Rolf, Greg Robertson, and Commissioner Jean Curtiss

[3:52:30 PM](#) Monte Sipe, City  
[3:53:44 PM](#) Deb Cole  
[3:55:02 PM](#) Staff comment, Greg Robertson  
[3:55:12 PM](#) Commissioner Jean Curtiss and Deb Cole  
[3:55:56 PM](#) Staff comment, James McCubbin, Greg Robertson, and Deb Cole  
[3:58:31 PM](#) Jeremy Keen  
[3:59:03 PM](#) Monte Sipe, City  
[4:00:26 PM](#) Jim Calcaterra  
[4:01:09 PM](#) Jeremy Keen and Jim Calcaterra  
[4:04:06 PM](#) Staff comment, Greg Robertson and Jim Calcaterra  
[4:05:11 PM](#) Jeremy Keen and James McCubbin  
[4:05:43 PM](#) Commissioner Jean Curtiss and James McCubbin  
[4:05:57 PM](#) Jeremy Keen and Jim Calcaterra  
[4:06:33 PM](#) Dori Belko  
[4:07:27 PM](#) Jeremy Keen and Dori Belko  
[4:09:20 PM](#) Commissioner Michele Landquist  
[4:10:19 PM](#) Dori Belko and Jeremy Keen  
[4:11:15 PM](#) Linda Grinner  
[4:12:02 PM](#) Commissioner Michele Landquist  
[4:12:32 PM](#) Commissioner Jean Curtiss  
[4:13:04 PM](#) Jeremy Keen  
[4:13:19 PM](#) Staff comment, James McCubbin and Jeremy Keen  
[4:13:31 PM](#) Linda Grinner  
[4:13:44 PM](#) Jeremy Keen, Commissioner Jean Curtiss, and James McCubbin  
[4:14:43 PM](#) Linda Grinner  
[4:15:10 PM](#) Staff comment, James McCubbin, Greg Robertson, Commissioner Jean Curtiss, and Linda Grinner  
[4:16:05 PM](#) Dick Haines  
[4:18:46 PM](#) Monte Sipe, City  
[4:19:35 PM](#) Commissioner Jean Curtiss  
[4:19:56 PM](#) Staff comment, Greg Robertson  
[4:20:16 PM](#) Staff comment, James McCubbin  
[4:21:05 PM](#) Commissioner Jean Curtiss  
[4:25:10 PM](#) Commissioner Michele Landquist  
[4:26:50 PM](#) Commissioner Jean Curtiss  
Public Comment  
[4:27:01 PM](#) Deb Cole  
[4:27:44 PM](#) Chair Bill Carey  
[4:27:53 PM](#) Kevin Slovarp, recommend 60 days  
[4:28:13 PM](#) Greg Robertson, recommend 90 days and Kevin Slovarp  
[4:28:17 PM](#) Discussion  
[4:28:31 PM](#) Commissioner Jean Curtiss  
[4:28:47 PM](#) Staff comment, Greg Robertson  
[4:29:24 PM](#) Staff comment, James McCubbin, recommend wait on motion, can give likes and dislikes of proposal  
[4:30:11 PM](#) Commissioner Michele Landquist  
[4:30:43 PM](#) Staff comment, James McCubbin  
[4:31:06 PM](#) Chair Bill Carey, Commissioner Michele Landquist, and James McCubbin, Commissioner Jean Curtiss  
Public Comment  
[4:31:17 PM](#) Norm Belko  
[4:34:52 PM](#) Jeremy Keen  
[4:35:02 PM](#) Chair Bill Carey, continue hearing on August 5

10. [4:35:09 PM](#) OTHER BUSINESS

11. [4:35:12 PM](#) RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:53 p.m.