

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.

PUBLIC MEETING
MISSOULA BOARD OF COUNTY COMMISSIONERS
WEDNESDAY, SEPTEMBER 9, 2009 – 1:30 P.M.
ROOM 201 – COURTHOUSE ANNEX
MINUTES

1. CALL TO ORDER

[1:30:47 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: Chief Civil Deputy County Attorney Marnie McClain, Public Works Director Greg Robertson, and Office of Planning and Grants Planner John Newman.

2. [1:30:54 PM](#) PLEDGE OF ALLEGIANCE

3. [1:31:13 PM](#) PUBLIC COMMENT

4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

a. Weekly Claims List - \$94,676.17

[1:31:28 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$94,676.17. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

b. [1:31:38 PM](#) Public Announcements

5. HEARING (Certificate of Survey)

a. Ployhar Family Transfer

[1:31:58 PM](#) Chair Bill Carey opened the hearing.

[1:32:08 PM](#) Marnie McClain presented the [staff report](#).

[1:33:20 PM](#) Marnie McClain questioned the applicant, Janette Ployhar

[1:35:45 PM](#) Questions from Commission

[1:36:17 PM](#) Public Comment

[1:36:26 PM](#) Executive Session

[1:36:36 PM](#) Commissioner Michele Landquist made a motion that the Board of County Commissioners approve the request by Janette Ployhar to create an additional three parcels 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 3-0.

6. CONSIDERATION

- a. Big Buck Subdivision (3 lots on 5.09 acres) - Southside of Lamar Trail, West of Hwy 93
([verbatim transcription](#))

[1:37:03 PM](#) Chair Bill Carey opened the hearing.
[1:37:23 PM](#) John Newman presented the [staff report](#).
[1:53:31 PM](#) Questions from Commission
[1:53:42 PM](#) Developer's representative presentation, Ken Jenkins
[2:07:01 PM](#) Questions from Commission
[2:16:31 PM](#) Public Comment
[2:16:42 PM](#) John Harris
[2:37:33 PM](#) Tom McClay
[2:40:23 PM](#) Kelly Harris
[2:42:30 PM](#) John Newman and Commissioner Michele Landquist
[2:48:37 PM](#) Commissioner Jean Curtiss and John Newman
[2:49:54 PM](#) Staff comment, Marnie McClain
[2:51:48 PM](#) John Newman and Marnie McClain
[2:52:40 PM](#) Ken Jenkins
[2:54:46 PM](#) Marnie McClain
[2:55:37 PM](#) Commissioner Jean Curtiss and Commissioner Michele Landquist
[2:58:06 PM](#) Deborah Evison
[3:00:51 PM](#) Discussion
[3:01:33 PM](#) John Newman
[3:02:10 PM](#) John Harris
[3:04:10 PM](#) Commissioner Jean Curtiss
[3:06:00 PM](#) John Newman and Commissioner Jean Curtiss
[3:07:52 PM](#) Commissioner Michele Landquist and Commissioner Jean Curtiss
[3:08:10 PM](#) Ken Jenkins, condition suggestion
[3:09:04 PM](#) Commissioner Jean Curtiss
[3:09:23 PM](#) Chair Bill Carey, condition suggestion and Commissioner Jean Curtiss
[3:10:29 PM](#) John Newman
[3:11:21 PM](#) John Harris
[3:13:24 PM](#) Discussion
[3:15:14 PM](#) Chair Bill Carey
[3:15:42 PM](#) John Newman
[3:15:49 PM](#) Deborah Evison
[3:16:21 PM](#) Commissioner Jean Curtiss and Deborah Evison
[3:17:53 PM](#) Chair Bill Carey and Deborah Evison
[3:18:14 PM](#) Commissioner Jean Curtiss
[3:22:31 PM](#) Commissioner Michele Landquist
[3:22:40 PM](#) Chair Bill Carey

Executive Session

[3:23:15 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #3, first sentence to read, "All residences within this subdivision shall post address signs visible from the street in all light conditions." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[3:23:41 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #4 to strike the existing language and insert a requirement that the developer's add to their covenants that no parking is allowed on the south side of Lamar Trail." Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[3:24:27 PM](#) Discussion, Condition #10.

[3:27:13 PM](#) Discussion on variance. [3:28:58 PM](#) Staff comment, Greg Robertson and discussion.

[3:32:05 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Condition #1, to read, "Plans for and installation of a minimum 5-foot wide compacted gravel pedestrian walkway contained within a minimum 10-foot wide non-motorized access easement and separated from the roadway by the drainage swale on the south side of the onsite portion of Lamar Trail shall be reviewed and approved by Missoula County Public Works prior to final plat approval. The Development Covenants shall be amended to include a pedestrian walkway maintenance agreement subject to review and approval by OPG prior to final plat approval." [3:33:13 PM](#) Commissioner Michele Landquist seconded the motion. [3:33:21 PM](#) Chair Bill Carey comment. The motion carried on a vote of 2-1, with Chair Bill Carey opposed.

[3:34:16 PM](#) Commissioner Jean Curtiss conditionally approve the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5-foot wide gravel walkway separated from the roadway by a minimum the drainage swale along the south side of Lamar Trail. [3:34:39 PM](#) Discussion. [3:34:53 PM](#) Ken Jenkins. [3:35:08 PM](#) Discussion. **Motion died for lack of a second.**

[3:35:28 PM](#) Commissioner Jean Curtiss made a motion to **deny** the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5 foot-wide paved walkway separated from the roadway by a minimum 7 foot-wide boulevard/drainage swale along the south side of Lamar Trail. [3:35:40 PM](#) John Newman revision of motion. **Motion died for lack of a second.**

[3:36:12 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners **deny** the request to vary from Article 3.2.3(3) of the Missoula County Subdivision Regulations requiring installation of a pedestrian walkway on one side of an onsite road to require installation of a minimum 5-foot wide gravel walkway separated from the roadway by the drainage swale along the south side of Lamar Trail. [3:36:27 PM](#) Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

[3:36:34 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve Big Buck Subdivision based on the findings of fact and subject to the recommended conditions of approval as amended and found in the staff report. Commissioner Michele Landquist seconded the motion. The motion carried on a vote of 3-0.

7. [3:36:52 PM](#) **OTHER BUSINESS**

[3:36:57 PM](#) Deborah Evison

8. [3:37:29 PM](#) **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:37 p.m.