

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.** However, the time stamps can serve as an approximate counter for the Windows Media Player file.

PUBLIC MEETING
MISSOULA BOARD OF COUNTY COMMISSIONERS
WEDNESDAY, APRIL 7, 2010 – 1:30 P.M.
ROOM 201 – COURTHOUSE ANNEX
MINUTES

1. CALL TO ORDER

[1:28:54 PM](#) Chair Michele Landquist called the meeting to order at 1:30 p.m.
Commissioners Present: Commissioner Jean Curtiss, Commissioner Bill Carey and Chair Michele Landquist. Absent: None.

Staff Present: Deputy County Attorney James McCubbin, County Parks Coordinator Lisa Moisey, Survey Technician Steve Smith, and Public Works Survey Technician Tony Holloway.

2. [1:29:07 PM](#) PLEDGE OF ALLEGIANCE

3. [1:29:30 PM](#) PUBLIC COMMENT

[1:29:46 PM](#) Cedric Hanes

4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

a. Weekly Claims List - \$355,746.72

[1:32:16 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$355,746.72. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

b. [1:32:31 PM](#) Public Announcements

5. HEARING (Certificate of Survey; continued from [March 31, 2010](#))

a. Braach (Robert & Dawn) Boundary Line Relocation

[1:33:28 PM](#) Chair Michele Landquist opened the hearing.

[1:33:55 PM](#) James McCubbin reviewed the [staff report](#). (Additional Information [1](#) and [2](#))

[1:37:19 PM](#) Applicant presentation, Rob Braach

[1:44:57 PM](#) Public Comment

[1:45:07 PM](#) Susan Doores

[1:45:57 PM](#) Rob Braach

[1:46:57 PM](#) Commissioner Jean Curtiss

[1:47:14 PM](#) Staff comment, James McCubbin

[1:47:49 PM](#) Executive Session

[1:48:02 PM](#) Commissioner Bill Carey

[1:48:10 PM](#) Staff comment, James McCubbin

[1:48:21 PM](#) Commissioner Jean Curtiss

[1:48:58 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners make a finding that there's not an attempt to evade subdivision review by the applicants and that they approve the boundary line relocation. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

6. **DECISION (from [March 10, 2010](#) Hearing; continued from [March 24, 2010](#))**

- a. Petition to Abandon a Portion of Woodworth Road (Emerald Lake Estates) - E of Salmon Lake

[1:49:46 PM](#) Chair Michele Landquist opened the hearing.

[1:50:21 PM](#) Steve Smith and Commissioner Jean Curtiss presented the [viewer's report \(staff report\)](#). ([Staff Presentation](#))

[1:53:58 PM](#) Staff comment, James McCubbin and Steve Smith

[1:54:41 PM](#) Commissioner Jean Curtiss comment, James McCubbin, and Steve Smith

[1:55:37 PM](#) Toby Dumont, PCI and Steve Smith

[1:56:26 PM](#) Questions from Commission

[2:00:10 PM](#) Staff Presentation and discussion

[2:03:57 PM](#) Public Comment

[2:04:09 PM](#) Executive Session

[2:04:22 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the viewer's report as stated by Steve [Smith] and submit the drawings as shown. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

7. **HEARING**

- a. Request from Horseman's Council to Construct Western Events Arena at Equestrian Park (Big Sky Park)

[2:05:10 PM](#) Chair Michele Landquist opened the hearing.

[2:06:01 PM](#) Lisa Moisey presented the [staff report](#).

[2:13:36 PM](#) Ginny Schuler

[2:14:10 PM](#) Chair Michele Landquist comment

[2:14:32 PM](#) Questions from Commission

[2:16:50 PM](#) Continuation of Lisa Moisey's staff report

[2:17:54 PM](#) Public Comment

[2:18:00 PM](#) Bill Dahlgren

[2:19:21 PM](#) Barbara Howe

[2:20:04 PM](#) Executive Session

[2:20:18 PM](#) Commissioner Bill Carey, error in staff report

[2:20:37 PM](#) Commissioner Jean Curtiss and Bill Dahlgren

[2:21:16 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve an amendment to the 1998 Tower Street Park Complex Management and Utilization plan to allow a development of the Western Events Arena as proposed by the Missoula Horseman's Council, subject to the following conditions: (1) Include an ADA compliant seating design in the plans for the amphitheater-style seating. These plans must be reviewed and approved by the Missoula County Building Inspector and (2) A Zoning Compliance Permit is required for this project. A site plan shall be submitted to the Office of Planning and Grants showing access to and from the site, all existing uses, structures, parking, and landscaping. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

8. [2:22:50 PM](#) **OTHER BUSINESS**

9. [2:22:56 PM](#) **RECESS**

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 2:22 p.m. and will reconvene at 6:00 p.m.

10. RECONVENE MEETING AT 6:00 PM

[5:59:09 PM](#) Chair Michele Landquist reconvened the meeting at 6:00 p.m.

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

Staff Present: Deputy County Attorney James McCubbin and Rural Initiatives Senior Planner Karen Hughes.

11. [5:59:23 PM](#) PUBLIC COMMENT

12. HEARING

a. North Lolo Growth Policy Update & Rural Special Zoning District

[5:59:43 PM](#) Chair Michele Landquist opened the hearing.

[5:59:59 PM](#) Karen Hughes presented the [staff report](#) and [Administrative Amendments](#) .
(PowerPoint)

[6:23:13 PM](#) Public Comment

[6:23:35 PM](#) Paul Rossignol and discussion

[6:31:38 PM](#) Gary Bueller

[6:36:05 PM](#) Mark Bellon

[6:38:36 PM](#) Sue Hadnot and discussion

[6:40:12 PM](#) William Geer

[6:41:35 PM](#) Ken Allen

[6:51:07 PM](#) Mira Schultz

[6:55:52 PM](#) Alex Beal

[6:58:47 PM](#) Sue Hadnot and discussion

[7:00:20 PM](#) Executive Session

[7:00:35 PM](#) Commissioner Bill Carey and discussion

[7:02:39 PM](#) Commissioner Jean Curtiss and discussion

[7:03:42 PM](#) Chair Michele Landquist and discussion

[7:05:46 PM](#) Commissioner Jean Curtiss

[7:06:26 PM](#) Mark Bellon and Commissioner Jean Curtiss

[7:10:23 PM](#) Staff comments, Karen Hughes and James McCubbin

[7:12:20 PM](#) Discussion

[7:17:50 PM](#) Chair Michele Landquist

[7:19:04 PM](#) Ken Allen

[7:20:04 PM](#) Commissioner Jean Curtiss

[7:20:24 PM](#) Staff comment, Karen Hughes and discussion

[7:22:49 PM](#) Ken Allen

[7:24:23 PM](#) Commissioner Jean Curtiss and Karen Hughes and list of amendments

[7:25:06 PM](#) Karen Hughes, list of amendments

[7:25:50 PM](#) Questions from Commission

[7:26:58 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners remove the viewshed retention provision under resource transition zoning classification as proposed by staff. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:27:22 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners remove the words "maximum base density" and "four units per acre" in the Ponderosa Heights Subdivision zoning classification as proposed. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:28:00 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners under home occupation conditional use to replace the home occupation description and standards in the conditional use section of the rural special zoning district with those that are included in Section 4.03.d of Missoula County Zoning Regulations. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:28:54 PM](#) Commissioner Jean Curtiss comment

[7:29:35 PM](#) Chair Michele Landquist comment

[7:30:02 PM](#) Commissioner Jean Curtiss comment and discussion

[7:31:14 PM](#) Staff comment, Karen Hughes

[7:32:12 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend definitions in the town residential zoning classification on page 12 to include townhouses as one of the residential uses, to add a definition for townhouses, and in the Town Residential zoning classification to add townhouses as a permitted use and add a side yard setback exception, as proposed by staff. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:33:09 PM](#) Commissioner Jean Curtiss and discussion

[7:39:06 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners accept the recommended administrative amendments as proposed on the memo dated April 7, 2010. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:39:53 PM](#) Commissioner Jean Curtiss, James McCubbin, Karen Hughes and discussion

[7:44:32 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend page 9 under residential, #3, space and bulk requirements to put back in what Planning Board took out, "when connected to sewer and water, two dwelling units per acre." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. [7:45:02 PM](#) Clarification on motion. Commissioner Jean Curtiss clarified her motion to read, "Maximum Base Density -- When connected to water and sewer Two Dwelling Units per acre. When not connected to water and sewer One Dwelling Unit per Acre." Commissioner Bill Carey seconded the clarification. The motion carried on a vote of 3-0.

[7:45:51 PM](#) Staff comment, Karen Hughes and discussion

[7:50:04 PM](#) Denise Pfau

[7:50:48 PM](#) Karen Hughes, clarification of language and discussion

[7:52:26 PM](#) Commissioner Jean Curtiss, clarification

[7:53:39 PM](#) Denise Pfau

[7:54:58 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend all the sections in the zoning proposal under site constraints that talk about 25% slope to add, "There will be exceptions for construction on existing lots that don't have a buildable site because of the 25% slope as long as it comes as close as possible to meeting the zoning." In addition, if staff has language that's more readable, their language would be allowed. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[7:56:29 PM](#) Karen Hughes, addressed all issues and discussion

[7:57:32 PM](#) Commissioner Jean Curtiss, parking discussion

[7:57:53 PM](#) Staff comment, James McCubbin, findings and conclusions and discussion

7:59:05 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Resolution of Intent to Adopt the North Lolo Growth Policy Amendment as Addendum 1 of the 2002 Lolo Regional Plan based on the findings of fact and conclusions of law contained in the staff report and public comment received tonight as amended by the Planning Board and amended by the Commission. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

7:59:38 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Resolution of Intent to Adopt the North Lolo Rural Special Zoning District as authorized under Chapter 6 of the Missoula County Zoning Resolution be approved and apply same to the area currently under the North Lolo Interim Zoning as shown on Map 2, based on the findings of fact and conclusions of law contained in the staff report and comments received tonight as amended by the Planning Board and the County Commission. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

8:00:34 PM Karen Hughes, explanation of process

13. OTHER BUSINESS

14. 8:00:56 PM RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 8:00 p.m.