

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, FEBRUARY 3, 2010 – 1:30 P.M.
ROOM 201 – COURTHOUSE ANNEX
MINUTES

1. CALL TO ORDER

[1:30:02 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, Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, Assistant Chief Deputy Clerk & Recorder Kim Cox, Survey Technician Steve Smith, Office of Planning & Grants Principal Planner Denise Alexander, Office of Planning & Grants Planner John Newman, Office of Planning & Grants Planner Tim Worley, and Office of Planning and Grants Floodplain Administrator Todd Kliez arrived at 3:18 p.m.

2. [1:30:16 PM](#) PLEDGE OF ALLEGIANCE

3. [1:30:43 PM](#) PUBLIC COMMENT

[1:30:54 PM](#) Christina Cox

[1:32:03 PM](#) John Hendrickson

[1:32:33 PM](#) Bob Schweitzer

[1:40:07 PM](#) Peggie Morrison

4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

a. Weekly Claims List - \$607,455.22

[1:43:12 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$607,455.22. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

b. [1:43:27 PM](#) Public Announcements

5. HEARING

a. Petition to Abandon a Portion of Lewis & Clark Drive (a/k/a the Lolo to Lolo Hot Springs Road) - North of Highway 12 (Holt property)

[1:45:24 PM](#) Chair Michele Landquist opened the hearing.

[1:45:44 PM](#) Greg Robertson presented the [staff report](#).

[1:46:49 PM](#) Kim Cox verified the petition.

[1:47:00 PM](#) Public Comment

[1:47:11 PM](#) Jack Jenks, petitioner

[1:50:51 PM](#) Frank Miller and Commissioner Jean Curtiss

[1:53:12 PM](#) James McCubbin, Frank Miller, and Commissioner Jean Curtiss

[1:53:56 PM](#) Chair Michele Landquist and Frank Miller

[1:54:56 PM](#) Jack Jenks
[1:56:23 PM](#) James McCubbin and Jack Jenks
[1:58:07 PM](#) Chair Michele Landquist, process
Public Comment
[1:58:53 PM](#) Frank Miller
[1:59:22 PM](#) Chair Michele Landquist
[1:59:39 PM](#) Diana Mitchell
[2:00:29 PM](#) Chair Michele Landquist and Diana Mitchell
[2:01:37 PM](#) Commissioner Jean Curtiss
[2:03:04 PM](#) Jack Jenks
[2:03:18 PM](#) Chair Michele Landquist
[2:03:36 PM](#) Commissioner Jean Curtiss and James McCubbin
Public Comment
[2:04:20 PM](#) Frank Miller
[2:05:10 PM](#) James McCubbin ([email](#) from Lisa Moisey, County Parks)
[2:06:00 PM](#) Questions from Commission
[2:06:35 PM](#) Staff comment, James McCubbin
[2:08:42 PM](#) Chair Michele Landquist comment
[2:10:13 PM](#) Set site visit, Commissioner Bill Carey with Greg Robertson, Monday, February 8 at 1:00 p.m.
[2:10:57 PM](#) Hearing continued to February 10, 2010

Chair Michele Landquist moved Subdivision Fire Review Services Fees up on the agenda

7. HEARING (continued from January 27, 2010)

- a. Clarify the Application of Fees Related to Subdivision Fire Review Services ([verbatim transcription](#))

[2:11:22 PM](#) Chair Michele Landquist opened the hearing.
[2:11:49 PM](#) John Newman reviewed the [staff report](#), [revised resolution](#).
[2:12:37 PM](#) Commissioner Jean Curtiss, comment
[2:13:26 PM](#) James McCubbin, process
[2:13:51 PM](#) Public Comment
[2:14:06 PM](#) Ken Jenkins and Commissioner Jean Curtiss
[2:16:18 PM](#) Staff comment, James McCubbin
[2:17:38 PM](#) Paul Rosignol
[2:18:10 PM](#) Chair Michele Landquist
[2:18:27 PM](#) Staff comment, Greg Robertson
[2:19:09 PM](#) Discussion
[2:23:30 PM](#) Tom Allsaker
[2:24:31 PM](#) Discussion
[2:27:04 PM](#) Tom Allsaker
[2:28:10 PM](#) Discussion
[2:29:26 PM](#) Ken Jenkins
[2:30:04 PM](#) Staff comment, James McCubbin
[2:30:23 PM](#) Discussion
[2:35:52 PM](#) Executive Session
[2:36:05 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners adopt the resolution clarifying the application of fire review service fees.
[2:36:11 PM](#) Commissioner Jean Curtiss seconded the motion. [2:36:13 PM](#) Chair Michele Landquist comment. [2:36:30 PM](#) The motion carried on a vote of 3-0.

6. HEARING

- a. Blue Heron Estates Subdivision (16 lots on 75.01 acres) - Lavoie Lane/Mullan Road/Grass Valley Area ([verbatim transcription](#))

[2:37:03 PM](#) Chair Michele Landquist opened the hearing.

[2:38:15 PM](#) Janet Rhoades presented the [staff report, memo](#). ([PowerPoint](#))

[2:50:57 PM](#) Developer's representative presentation, Ron Ewart

[2:56:05 PM](#) Public Comment

[2:56:12 PM](#) Bob Zimmerino

[2:56:18 PM](#) Chair Michele Landquist and Bob Zimmerino

[2:57:40 PM](#) Questions from Commission

[2:59:14 PM](#) Staff comment, Janet Rhoades

[2:59:30 PM](#) Chair Michele Landquist and Janet Rhoades

Public Comment

[3:00:53 PM](#) Bill Vaughn and Discussion

[3:10:24 PM](#) Staff comment, Janet Rhoades

[3:11:24 PM](#) Staff comment, James McCubbin

[3:11:48 PM](#) Ron Ewart and Discussion

Public Comment

[3:15:25 PM](#) Jim Cuskar

[3:23:24 PM](#) Jim Brown, Five Valleys Audubon Society

[3:26:25 PM](#) Staff comment, Todd Klietz

[3:27:13 PM](#) Commissioner Jean Curtiss and Todd Klietz

[3:27:42 PM](#) Staff comment, Janet Rhoades

[3:28:01 PM](#) Commissioner Jean Curtiss

[3:28:14 PM](#) Executive Session

[3:28:30 PM](#) Commissioner Bill Carey

[3:28:40 PM](#) Staff comment, Janet Rhoades and Commissioner Jean Curtiss

[3:30:41 PM](#) Staff comment, Janet Rhoades

[3:31:24 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Blue Heron Estates Planned Variation based on the findings of fact in the staff report, including the memo today that makes amendments to Conditions 25 and 35, and as Planning Board amended Condition 36 and 12. [3:32:16 PM](#) Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[3:32:31 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the Blue Heron Estates Subdivision based on the findings of fact in the staff report and subject to the recommended conditions of approval as amended today. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

8. [3:32:59 PM](#) OTHER BUSINESS

9. [3:33:45 PM](#) RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 3:33 p.m.