



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



1. [1:28:06 PM](#) CALL TO ORDER

Chair Michele Landquist called the meeting to order at 1:30 p.m.

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

Staff Present: Rural Initiatives Planner Nancy Heil, Chief Civil Deputy County Attorney Marnie McClain, Office of Planning & Grants Planner Janet Rhoades, Public Works Director Greg Robertson, and Ofc of Planning & Grants Urban Initiatives Planner Lewis Yellow Robe.

2. [1:28:25 PM](#) PLEDGE OF ALLEGIANCE

3. [1:28:49 PM](#) PUBLIC COMMENT

4. ROUTINE ADMINISTRATIVE ACTIONS AND PUBLIC ANNOUNCEMENTS

a. Weekly Claims List - \$543,653.86

[1:29:07 PM](#) Commissioner Bill Carey made a motion that the Board of County Commissioners approve the weekly claims list in the amount of \$543,653.86. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

b. [1:29:21 PM](#) Public Announcements

5. BID AWARDS (Public Works)

a. Westview Park Basketball Court Resurfacing Project (Lolo)

[1:29:36 PM](#) Chair Michele Landquist opened the hearing.

[1:29:40 PM](#) Greg Robertson presented the [staff report](#).

[1:30:28 PM](#) Questions from Commission

[1:33:26 PM](#) Public Comment

Executive Session

[1:33:31 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners award the contract to LS Jensen in the amount of \$21,532.00 for this project [the Westview Basketball Court Resurfacing project] as they are the lowest and best bidder. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

b. Crushed Aggregate for Big Flat Road Reconstruction Project

Chair Michele Landquist opened the hearing.

[1:33:53 PM](#) Greg Robertson presented the [staff report](#).

[1:34:34 PM](#) Questions from Commission

[1:34:44 PM](#) Public Comment

[1:34:49 PM](#) Executive Session

1:34:50 PM Commissioner Bill Carey made a motion that the Board of County Commissioners award the contract to Knife River in the amount of \$129,380 [for the supply of rock aggregate for the Big Flat Road project]. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

6. HEARING (Certificate of Survey)

a. Winn (Ray & Donna) Family Transfer

1:35:03 PM Chair Michele Landquist opened the hearing.

1:35:17 PM Marnie McClain presented the [staff report](#).

1:36:45 PM Marnie McClain questioned the applicant, Donna Winn

1:36:48 PM Donna Winn, staff report correction, owned property since 1974, not 1986

1:38:19 PM Questions from Commission

1:40:50 PM Public Comment

1:40:54 PM Executive Session

1:41:08 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request presented by the Winns to create one additional parcel 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 Bill Carey seconded the motion. The motion carried on a vote of 3-0.

7. HEARING (continued from [June 21, 2010](#))

a. Target Range Neighborhood Plan

1:41:27 PM Chair Michele Landquist opened the hearing.

1:42:35 PM Lewis Yellow Robe presented the [staff report](#).

1:48:37 PM Questions from Commission

Public Comment

1:49:43 PM Fred Stewart

1:50:06 PM Commissioner Jean Curtiss comment, remove Richardson property

1:50:38 PM Public Comment

1:50:57 PM Fred Stewart

1:56:21 PM Anne Rupkalvis

1:57:41 PM Dorothy Northcutt and Commissioner Jean Curtiss

[Note: The following motions made by Commissioner Jean Curtiss were made from a previous version of the Target Range Neighborhood Plan and page numbers referenced by Commissioner Curtiss are replaced by section numbers.]

2:00:02 PM Executive Session

2:00:20 PM Commissioner Jean Curtiss, Section 1.3 Air of Target Range Neighborhood Plan, first paragraph, strike "like Smurfit Stone Container." Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "(like Smurfit Stone container)." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:01:19 PM Commissioner Jean Curtiss, Section 1.3 Air, second paragraph, directed staff to change "County Engineers office" to "County Public Works office." Chair Michele Landquist and Commissioner Bill Carey supported the direction.

2:02:13 PM Commissioner Jean Curtiss, Section 1.4 Natural Vegetation and Weeds, Recommendations and Strategies.

2:04:27 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "University of Montana" and insert "Missoula County Weed District" in Strategy #1. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:04:46 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike "University of Montana" and insert "Missoula County Weed District" in Strategy #2. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:04:58 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a new #3 Strategy that reads, "Develop an educational program component with Missoula County Weed District and Target Range Homeowners Association regarding noxious weed control and native landscaping on private property." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:05:42 PM Commissioner Jean Curtiss previous motion would strike the strategy that read, "Develop better coordination with the County Roads department on roadside noxious weed control along bike paths and roads in our Target Range neighborhood."

2:06:21 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve a new Strategy, "Work with Missoula County Weed District to explore grant programs to address weed control through biological control, mowing, and other control measures." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:06:40 PM Commissioner Jean Curtiss and Lewis Yellow Robe

2:07:14 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners insert #5, #6, #7, and #8 [from page 24 of staff report submitted by Lewis Yellow Robe on June 30, 2010] to read, "#5 Approach the Missoula County Weed District to develop an active control program for the identified weed problem areas such as the right-of-way right-of-ways and non-motorized trail right-of-ways. #6 Continue to work with the Missoula County Weed District to inventory new infestations of noxious and other weed species. #7 Buy and sell weed free hay. #8 Wash farm and heavy equipment after each use." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0. 2:07:54 PM Commissioner Jean Curtiss comment.

2:08:30 PM Commissioner Jean Curtiss, Section 1.5, Recommendations and Strategy for Wildlife, Strategy #9.

2:08:49 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners change "Missoula Parks Board" to "Missoula County Parks Board and staff." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

2:09:07 PM Commissioner Jean Curtiss, Section 2.3 Water Infrastructure - Wells, Irrigation and Wastewater Treatment, format for strategies should be the same as previous sections and Strategy #5.

2:10:11 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners Strategy #5, strike the last sentence [which reads, "They should be left in their original containers and disposed of in the trash." to "They should be disposed of properly to prevent prescription drug abuse. Check with the Missoula City/County Health Department for proper methods." Commissioner Bill Carey seconded the motion.

2:10:51 PM Commissioner Jean Curtiss comment. 2:12:37 PM The motion carried on a vote of 3-0.

2:12:42 PM Commissioner Jean Curtiss, Strategy #6, last sentence.

2:13:05 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike, "County hazardous waste days will accept these items" and insert, "Check with Missoula City/County Health Department for a hazardous waste disposal location." Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:13:40 PM](#) Commissioner Jean Curtiss, Section 2.5 Community Facilities (parks, open spaces, viewsheds, trails, recreation areas), Strategy #7.

[2:14:52 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the word, “will” from the sentence and insert, “may” [to read “Any new lighting in Target Range may follow guidelines similar to those developed by the City of Missoula to limit the impact on the night sky.”] Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:15:04 PM](#) Commissioner Jean Curtiss, Section 2.6 Local Services (police, fire and schools), third paragraph entitled “Law Enforcement,” second sentence.

[2:15:43 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the word, “has been” and insert, “is” and strike “located in the Missoula County Courthouse” [to read, “Sheriff’s deputies conduct routine patrols and additional sheriff support is dispatched from the 911 center.”] Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:16:01 PM](#) Commissioner Jean Curtiss comments, roundabouts

[2:16:57 PM](#) Chair Michele Landquist comment

[2:18:01 PM](#) Commissioner Jean Curtiss, downzoning on Richardson property

[2:19:34 PM](#) Staff comment, Lewis Yellow Robe and Commissioner Jean Curtiss

[2:20:58 PM](#) Staff comment, Lewis Yellow Robe, recommended amendments

[2:22:34 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners strike the paragraph on page 64, #2 Zoning Changes, #C and amend Map 14 to reflect that change. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:23:06 PM](#) Staff comment, Lewis Yellow Robe, Map 16 change to reflect above motion.

[2:23:53 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners amend Map 16 to reflect the changes as Lewis [Yellow Robe] stated. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:24:10 PM](#) Commissioner Jean Curtiss comment

[2:24:23 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners direct staff to make changes in form, content, and correct any errors as necessary to make this a clean plan. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:24:57 PM](#) Commissioner Jean Curtiss made a motion that the Board of County Commissioners adopt the Draft Target Range Neighborhood Plan and associated land use maps as amended by the County Commissioners as an amendment to the 2005 Missoula County Growth Policy. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

[2:25:14 PM](#) Board of County Commissioners comments

8. HEARING

a. Open Space Bond Project (Sunset Hill 2 Additional Funding)

[2:27:42 PM](#) Chair Michele Landquist opened the hearing.

[2:27:56 PM](#) Nancy Heil presented the [staff report](#).

[2:30:28 PM](#) John Rimel, Open Lands Committee

[2:31:45 PM](#) Public Comment

[2:31:54 PM](#) Jim Berkey, Nature Conservancy

[2:35:34 PM](#) Executive Session

2:35:56 PM Commissioner Bill Carey made a motion that the Board of County Commissioners approve the expenditure of an additional \$150,000 in Open Space Bond funds via the attached resolution (Attachment D) for the purchase of a conservation easement for the Sunset Hill 2 project, based on findings that the project qualifies for funding, recommendations of the Open Lands Citizen Advisory Committee, public hearing comments, and staff's analysis. Commissioner Jean Curtiss seconded the motion. The motion carried on a vote of 3-0.

9. HEARING

- a. Rezone Property in East Missoula Area from C-C2 (General Commercial) to C-R3 (Residential) - 3580 Highway 200 East ([verbatim transcription](#))

2:36:41 PM Chair Michele Landquist opened the hearing.

2:42:52 PM Janet Rhoades presented the [staff report](#) ([PowerPoint](#) presentation).

2:53:14 PM Questions from Commission

2:54:49 PM Applicant's presentation, Ken Jenkins

3:07:05 PM Public Comment

3:07:11 PM Nina Cramer

3:11:41 PM Dick Ainsworth, Janet Rhoades, and Chair Michele Landquist

3:16:22 PM Staff comment, Janet Rhoades

Public Comment

3:18:07 PM Logan Hodke

3:19:55 PM Allen Wagner

3:20:54 PM Karen Wagner

3:27:01 PM Melissa Jenkins

3:28:56 PM Bob Brunson

3:31:18 PM Betty Springer

3:34:33 PM Staff comment, Janet Rhoades

3:35:09 PM Mary Willard

3:37:10 PM John Loren

3:39:24 PM Valerie Brunson

3:44:01 PM Louise Kolppa

3:47:23 PM Beverly Erb

3:49:20 PM Adelco Loran

3:50:22 PM Shayla Getchman

3:51:14 PM Karen Wagner

3:53:39 PM Valerie Brunson and Chair Michele Landquist

3:55:00 PM Bob Brunson

3:56:08 PM Executive Session

3:56:26 PM Commissioner Jean Curtiss comment

4:01:16 PM Commissioner Bill Carey comment

4:01:40 PM Chair Michele Landquist comment

4:04:11 PM Staff comment, Janet Rhoades and Chair Michele Landquist

4:04:33 PM Commissioner Jean Curtiss made a motion that the Board of County Commissioners approve the request to rezone property legally described as Lots A, B1, C, & D1 of Block 21 of East Missoula Addition, located in Section 24 of Township 13 North, Range 19 West, from C-C2 (General Commercial) to C-R3 (Residential, 36 dwellings per acre), based on the findings of fact in the staff report. Commissioner Bill Carey seconded the motion. The motion carried on a vote of 3-0.

10. 4:05:15 PM OTHER BUSINESS

11. 4:05:19 PM RECESS

There being no further business to come before the Board of County Commissioners, the meeting was recessed at 4:05 p.m.