1. CALL TO ORDER

Commissioners Present: Commissioner (Chair) Michele Landquist, Commissioner Jean Curtiss
Commissioners Absent: Commissioner Bill Carey

Staff Present: Greg Robertson, Director Public Works, Steve Hutchings, Building Division Supervisor, Deb Evison, Public Works, Tim Worley, CAPS, Todd Klietz, CAPS Floodplain Administrator

2. PLEDGE OF ALLEGIANCE

3. PUBLIC ANNOUNCEMENTS

Thank you to Steve Earle from the Fair for the original Monte Dolack artwork that we have hanging in our conference room. You can purchase prints of these. Each one represents the last 3 years of the fair and each one has something that represents the fair.

4. PUBLIC COMMENT

None

5. ROUTINE ADMINISTRATIVE ACTIONS

Bi-Weekly Claims List ($2,604,643.68)

Executive Session

Commissioner Curtiss made motion that the Board of County Commissioners approve the Bi-Weekly Claims List in the amount of $2,604,643.68. Chair Landquist second the motion. The motion carried a vote of 2-0.

6. HEARINGS
a. (#1 of 3) Proposed Regulations Governing Review of Buildings for Lease or Rent as Required by 2013 Legislature (Multiple Buildings on a Single Parcel, Existing & Proposed)

Tim Worley gave presentation.

Background: Over the past couple of legislative sessions the legislature recognized the general problem with subdivision for lease or rent. Missoula County clearly was one of a hand full of county’s that actually did oversee subdivision for lease or rent reviews, but I think even here in Missoula County, we would confirm that there was a certain amount of hardship that was incurred by taking small projects through subdivision review. I think the Attorney General confirmed the reality of subdivision review by a very simple situation, even having second homes on parcels where the second entity leased or rented the home that that actually constituted a division of land and actually constituted subdivision. But the legislature’s goal over the past couple of sessions was to find a better way to conduct multiple building reviews on individual parcels and we think to a large degree that they found it through Senate Bill 324; which prescribes local regulations for building for lease or rent review, with a requirement that local governments adopt these regulations by the 1st of September.

I want to speak briefly just to the term “buildings for lease or rent” because I think it causes confusion. I think it’s an intentional carry-over from the term subdivision for lease or rent. I think the legislature intentionally borrowed that term but they wanted to make sure that most multiple building situations on individual parcels actually occurred under a different section of Title 76, its 76 part 8, I believe. So when I use that term “buildings for lease or rent”, I’m really talking about multiple buildings on a parcel and not strictly speaking that every single building on a parcel necessarily is leased or rented. RV Parks and mobile home parks are still reviewed under the subdivision and platting acts so that review will not change with the implementation of these regulations.

Chair Landquist: And by subdivision and platting act, that’s mostly sanitary review?

Tim Worley: No. Subdivision and platting act is the planning side. One thing that became fairly clear as Senate Bill 324 was making its way through the legislature, there was an equivalency between the term building and unit – in the definition that was moving forward, and it comes straight out of SB 324 that way if you just read the first clause. Building means a structure or a unit of a structure with a roof supported by column etc. So that assumption is built into the model regulations, it’s actually built into the resolution that comes in your attachment C – it makes it very clear that unit and building are equivalent with these regulations. The trigger for review under these building for lease or rent regulation is either for buildings or units. It’s a fairly straightforward review requiring a site plan that includes property boundaries, roads and geographic features. Review of these buildings for lease or rent projects is administered by Community & Planning Services but the ultimate decision is with the Board of County Commissioners. The Commissioners must deny or approve with conditions, within 60 working days of a complete application. One majority vote example we have for you today is just a change in how storage units are reviewed. We don’t think individual storage units within storage buildings should count towards that four threshold for review. We don’t have anything that we would recommend that would require a super majority of the Board of County Commissioners to pass these regulations at this time.
There is one update that we would also recommend to the regulations and you’ll see in that strike through, we have some adjustments to the regs. that we’re passing on. One that we would pass on an addition to what we put together so far is that it’s pretty clear that an assessment of impacts to the physical environment and human population are required by the senate bill and the way the state framed the narrative, it makes it sound like you could to an assessment of one or the other. But we would just recommend that the work ‘and’ be inserted in there instead of ‘or’, to make it clear that the assessment is to impacts to the surrounding environment and human population.

One really important part of SB324 is the series of exemptions that it provides from these multiple building reviews. One of the exemptions is the first three buildings constructed on or before September 1, 2013 – that’s a pretty substantial exemption for existing buildings on the ground as the regs. come on the ground, as the regs. come online September 1. There’s a whole bunch of out-buildings that typically fit into this category. Agricultural buildings are exempt. Buildings compliant with zoning are exempt. There’s a question that arisen, what kind of zoning meets the test that comes in SB324? In talking with the State and Attorneys closet to the passage of SB324, from what we can tell the Missoula County Zoning Resolution seems to meet this test. Whether every part one zoning district within Missoula County meets the test as far as compliance with zoning, we not exactly sure. Some of what we call the ZD’s, if they banned something like billboards, they probably wouldn’t meet the test of the kind of zoning that would quality as an exemption. That doesn’t mean that there wouldn’t be other building types that might be able to qualify for other exemptions.

**Commissioner Curtiss:** Tim, I think a few of our zoning districts allow for guest cabins. So that would mean it would be exempt, right?

**Tim Worley:** Yes, if it meets the test. It gets a little technical as far as what 324 says. The building has to be in conformance with applicable zoning regulations, pursuant to title 76, chapter 2, parts 1-3; providing that the zoning elements of section 4. Section 4 is actually the review criteria, in essence, of going through the buildings for lease or rent process. We think the zoning resolution meets…basically when you go through the zoning resolution you do a similar review, as you would going through this review. We’ll probably have to take that on a case by case basis, just evaluating those ZD’s when they come in.

Also buildings subject to the bed tax are exempt from review. Buildings not leased or rented as confirmed in a notarized declaration. I should note that as far as that notarized declaration is concerned; once somebody makes a notarized declaration saying I’m not gonna lease or rent this particular building, that is in perpetuity, it goes with the land, it’s not something that can be pulled three weeks later at the convenience of the land owner. Once that decision is made, it’s essentially permanent.

**Commissioner Curtiss:** So if someone else wanted to change that use, they’d have to go through a review?

**Tim Worley:** Right.

**Commissioner Curtiss:** Meaning it’s exempt from any review if they sign that. But then if somebody else bought it and wanted to rent it, they’d have to go through a whole process for us to say that was okay before they could change it.
Tim Worley: I’d like to do now is go through a brief exercise, just detailing how these buildings count toward that fourth threshold that triggers the full building for lease or rent review. Also, I’d to take a look at the storage building scenarios that may play out with these regulations. (Presentation)

Per staff recommendation (attachment C) we would just count the buildings, not the units. For instance; three storage buildings would add up to 1, 2, 3 and we wouldn’t care how many doors we see. That has its own liability – if we go for a more urban, suburban type of storage unit, you could have a massive building with lots of units in it that never counts toward review per the original staff recommendation. So there is a certain liability or risk I guess in just exempting individual units completely. It’s something to consider. This would trigger review if these were all built beginning September 1 because you have 5 buildings and you have a total of 15 units. Regardless of what you choose to do with units, this would review if this was a newly constructed project beginning 1. But if you choose to completely exempt units per the original staff recommendation this would be something where you’d only count the buildings and not the units.

The option that we have added is perhaps to set a review threshold at 30 for the number of units just in storage buildings, not in anything else. Here’s our alternative language I think that gets there, and in addition to this alternative language with 30 in it, we cleaned up a little bit just how we explain that storage units are also subject to review. We had some public comment that we could maybe make this clearer and we felt we’ve done that. Going back a little – if you set the threshold at 30 units, just for storage buildings this would trigger review by virtue of the number of units.

Synopsis of how made outreach to the community. It was about May that the model regulations came out and so as we were wrapping our minds around those, we did reach out to both open lands community and the Missoula Organization or Realtors in late June, just to describe what the implications of the regs. Were and what our tact was going to be as far as our recommendations to you. We had some informational briefings and Q&A sessions, mostly here in B14 in Mid-July to try and explain fundamental building for lease or rent 101. We also held some public sessions in Orchard Homes, Seeley Lake and Frenchtown just to provide information for those communities. The only meeting we didn’t have any attendance was the Frenchtown meeting on August 1st. We had a special presentation at Planning Board on July 16th explaining the building for lease or rent regs. We posted legal notice on July 12th in accordance with SB324’s requirements for postings in five places or more. We also published in the Missoulian July 28th and August 4th, per the requirements of SB324. And we sent a notice to our email list of over 700 individuals and we’ve had a presents also on our website regarding these regulations and our recommendations.

Just a note, that you, as the County Commissioners, must consider public comment per SB324. We essentially had three public comments throughout this process. In consideration to public comment staff recommends clarifying language about storage unit review and I think we’ve gone over that adequately.

We do have a recommended fee and this is part of Attachment C in the Resolution which is the very first couple of pages of Attachment C. We’re recommending a $200 review fee.

One thing regarding storage units; in that Resolution section up front, it’s been indicated to us it’s important to pin down Findings of Fact as to why a change is made to the Regulations. And as far as the storage units and not counting the individual units or even raising the ceiling, or raising the threshold of review to 30 units, we feel as far as impacts to public health, safety and welfare storage units aren’t places where folks
reside. The number of daily trips to storage units. I confirm with Dave Gray who’s the MPO transportation planner, the number of trips per day is minuscule compared to residential. You just don’t have the immediate health and safety issues with storage units that you do with residential. Therefore, we think that that’s a number that’s malleable, that is the number of units that count toward review, or it you choose to not count units at all.

So if the Commissioners choose to actually change to the 30 threshold we just have some alternative language that we would plug into the resolution. Whereas the Board of County Commissioners have determined the review of under 30 individual storage units in residential commercial and industrial storage units shall not be required, etc., etc. based on findings of fact establishing that there would be minimal impact to public health, safety and general welfare.

In conclusion, staff’s recommendation is for approval and again these regs. would take place on September 1st.

**Commissioner Curtiss:** When does someone need to pay the $200.00? If I’m building buildings that I know that are exempt, I need to get a building permit, if required and those kinds of things. But what triggers the fee?

**Tim Worley:** You only trigger the fee if you hit the threshold.

**Commissioner Curtiss:** You can come in and ask.

**Tim Worley:** Yes, you can do that. I think what happen typically under subdivision for lease or rent a lot of folks didn’t know that they were required to go through that kind of review. And I think that’s going to happen with buildings for lease or rent as well. I think the building permit review process is going to indicate which folks need to go through building for lease or rent. I think we’ll find like with subdivision for lease or rent; a hand full of folks that are proactive and say, I want to do 10 buildings, I want to go through lease or rent. We actually have one person in the great Seeley area who up front may want to have a fairly substantial building for lease or rent project. Otherwise I think it’s going to be the building permit process that triggers it.

If you can avail yourself of exemptions that don’t require you to go through the full governing body review, you wouldn’t be charged anything.

**Chair Landquist:** I was glad to see…and you didn’t touch on it, you might want to; I was glad to see that there was a section in here regarding appealing. The same language is here; the applicant, if you are grieved by the final decision of the department or the local reviewing authority made pursuant to this section, blah, blah…you may request a hearing as provided. As well as I was really, really glad to see that as similar to regular subdivisions, that if you are maybe not the applicant, but you’re the land owner with a property boundary that’s contiguous to this tract that is being approved for subdivision for lease or rent – maybe you don’t like how it’s being used as that subdivision for lease or rent that you also…there’s some provisions there for appealing.

**Tim Worley:** Yes and it looks like as far as appeal of the local governing body decision, as far as being an agreed party it meets the same definition that we use for subdivision.
Chair Landquist: Right and I was just glad to see that in there for something that’s not going through the usual reviews and public notices and so on and a lot of places in the county without some zoning or enforceable covenants that they rely on us to implement state law and protect their peace and quiet and use of their property. I just wanted to point that out that I was glad that was in there. I’m looking for one of the other questions that was posed by somebody that I read in here from Seeley Lake regarding the road, their driveway. I know that there was a Resolution passed by Missoula County a few years back to say; if two or more residential units or dwellings using the same driveway that you have to name your road and then the numbers have to be done accordingly. How does this come into play with the buildings for lease or rent, can anybody answer that at this juncture?

Deb Evison: This was something that we’d actually wrestled with ourselves as folks are coming in and doing this. I think it still stands when they go to get their building permit, we would look at where their access is and whether or not you could how they could design it. If you can see both homes from the county road, we wouldn’t make them name their driveway but if they’re stacked one behind the other where 9-1-1 would be running up and down, back and forth trying to locate a residence then we would require them to name their driveway and then readdress, then we would put that in the 9-1-1 database. Other than that, we’re not going to make them do any other improvements to their driveway creating a road or anything like that because they are exempt from it. So that would be the extent or our reach would be if it’s two or more dwelling units on a single driveway, if they’re stacked one behind the other then they would have to name it. If they’re visible from the county public road then they would not have to name their dwell access.

Chair Landquist: You did a good job on this and it was a complicated process that took up a lot of different staff people’s time and energy so I’m really truly not trying to throw any kind of monkey wrench in it at this juncture but, what if you move? Is there anything we should do other than have the minutes from this meeting of what Deb just said regarding the road, is there anything we should do memorialize that bit on the road standard so it doesn’t get lost?

Commissioner Curtiss: That’s in our addressing policy is what I’m guessing.

Deb Evision: Yes, that’s actually stipulated in our public works manual and we’re going to be revising that this fall. So we’re going to make sure that it’s actually rock solid so there’s not interpretation that can go a rye with that.

Tim Worley: I think one thing I might add and this came up at our Seeley meeting on the 24th, people asked what the road standards were if you had one of these projects that came through – there are no road standards in these regs. What I think we’ll typically end up doing is if somebody does trigger a review we will do an agency sort of review component to this. We can’t subject to a 20 foot road standard or an 18 foot road standard. In some cases if it’s a two tract in the wilderness, you might listen to public works recommendations for the building of the road to the development or something like that. But there’s no regs. actually prescribed that would say how wide the road would have to be. But they are subject to other permits so yes, if there’s a 9-
1-1 related issue, if there's a fire code related issue, those issues might come up during the review process.

Chair Landquist: Thank you. I just felt like the question had been asked by someone, I thought it was a good question and I think we're (you all) are doing a good job I didn’t want to have to see this come back for an amendment any time soon.

Public Comment

Deb Evison: I want to thank Tim Worley and the staff at CAPS for all their hard work and dedication to this project; I know it was a pretty tough road. I would also like to get it on the record that our goal here and I think across the State is to help clean-up and make things easier for folks who want to grow and develop their businesses and do different things with their property. Some of the incidents I know we had some heartburn over the last 18 months about people who wanted to open up their coffee kiosks and things like that – this would allow them to do that. Expand their business; expand their trucking businesses and things like that without having to go through the process of subdivision, this would allow them to do that.

Executive Session

Commissioner Curtiss: I agree that the word notwithstanding is confusing.

Commissioner Curtiss made motion that the Board of County Commissioners amend the proposal in Exhibit A, 5F to strict the word “notwithstanding” and insert “exempting”. Chair Landquist second the motion. The motion carried a vote of 2-0.

Commissioner Curtiss: Tim, I know you talked a little bit about if we wanted to do the 30 – oh that would become F right there then right? So you have exempt in there?

Tim Worley: That’s sort of alternative B for you if….if you want to go with a 30 or even if you want to take the 30 out and just…

Commissioner Curtiss: So we can replace that F and A with that? I withdraw that motion and make a different one.

Commissioner Curtiss made motion that the Board of County Commissioners substitute 5F with the wording that’s on the screen to read; All other buildings for lease or rent on a single tract of record, including four or more buildings/units, require review and approval by the governing body pursuant to the provisions of section 6 (insert new words) storage buildings require review and approval by governing bodies as follows; all residential commercial and industrial storage buildings that include four or more buildings or 30 or more units in a single building. Chair Landquist second the motion. The motion carried a vote of 2-0.

Commissioner Curtiss: And then we need to make a motion eventually to change the language in the Resolution or we can just direct you to?

Tim Worley: I think if you just approve the Resolution and attachment C as amended, you're fine. And we'll change the findings of fact in that one whereas, related to the 30.
Commissioner Curtiss made motion that the Board of County Commissioners adopt the regulations and the Resolution supporting the regulations as amended to attached C. Chair Landquist second the motion. The motion carried a vote of 2-0.

b. Modifications to Missoula County Building Code Enforcement Program (continued from May 8, 2013)

Steve Hutchings: Resolution to amend Missoula County’s Building Code Enforcement Program. We’re asking to increase the exemptions from Building permit requirements for detached storage structures up to 200 square feet. Presently they are exempt if they are not over 120 square feet of floor area. We’re also asking to increase the exemption for fences of any material from 6 feet up to 8 feet. We’ve had a lot of interest from the public in these exemptions, specifically the first exemption about the storage structures.

Chair Landquist: Essentially if someone wants to build a fence that’s 8 feet high, they can do so with a permit?

Steve Hutchings: That’s correct. Up to 8 feet. Presently fences up to 6 feet are exempt. We have a lot of people that request 8 foot fences because they want to keep the deer out or for privacy factors. There’s not a public safety risk to having an 8 foot fence. I had some engineering done to see what it would take to build an 8 foot fence; it would essentially take 14 foot of 6x6’s. Almost 6 foot in-depth in the ground, that would be necessary to handle the design loads that the building codes put on fences for wind and what have you. That just makes the price of a fence tremendously unaffordable, that’s why we’re asking for those increased exemptions.

Commissioner Curtiss: We did have a discussion about this at the May 8th meeting, just to elaborate a little, the buildings that we’re increasing the square footage of, right now you can have a 10x12 and this will be a 10x20, basically. It still needs to be outside the floodplain and shoreline regulations would still apply.

Steve Hutchings: Correct.

Chair Landquist: So you still have to get a building compliance permit too?

Steve Hutchings: For the detached storage structures yes. Fences - I don’t believe CAPS Office is concerned about fences, even 8 foot or 10 foot.

Chair Landquist: But you still need to “call before you dig”. I agree with what we’re doing here but one of the things that I am concerned with is this exemption and people not understanding the use of anchors. I don’t know if the people selling portable buildings to be moved if they let people know that some things still need to be anchored properly to the ground. How are we helping their neighbors not end up with a building in their yards? Similar to people with trampolines in their yards.

Steve Hutchings: I’m not sure how you can do that. One of the things about the permitting system is that you address those types of things when someone wants to build a structure. The outfit on West Broadway, not mentioning a name, they have engineering that goes out with their products and they have a chart saying up to this x-
amount of size takes this many anchors. Usually they have a chart to determine what the requirements are. Carports also have requirements to anchor them down as well.

**Chair Landquist:** Your website ~ Public Works website, I imagine this will be up there on the site, as far as what things need permits for and such. Is there some way we can put an excerpt of an FYI to people so that at least that way we’re trying to inform people, that even though you may not need a permit for this building, you should exercise common sense and still get an anchoring system in place.

**Steve Hutchings:** Sure. We’ll put this on our website about being exempt and along with that we’ll have a little asterisk or something to identify that you need to make sure that it’s going to stay where you put it. The design standard in the building code is to design to resist a 90 MPH ~ 3 second gust. We’ve approached that a couple times at the airport but we’ve never exceeded that. It’s basically a safety factor that’s built into the code.

**Chair Landquist:** Thank you for the work that you’ve put into this. I know that we’ve looked it over and sent it back to the drawing board a couple of times and we really appreciate it.

**Public Comment**
None

**Executive Session**
Commissioner Curtiss made motion that the Board of County Commissioners adopt the Resolution amending Missoula County’s Public Building Code Enforcement Program by increasing the size of certain buildings exempt from building permits and increasing the height exemption of fences from 6 feet to 8 feet. Chair Landquist second the motion. The motion carried a vote of 2-0.

7. **PRESENTATION**

Release of FEMA’s Latest Digital Flood Insurance Rate Maps

Todd Klietz gave report and presentation.
We are here today to look at the new FEMA flood plain maps that were just given to us a few weeks ago, officially being presented to you today. They are the first maps in 25 years. Between 1974 and 1988 the FEMA flood plain maps were revised four different times. They started the mapping project in Missoula County in 2001 which was the first inquiry from the State Department of DNRC and officially kicked off in 2005. We believe this to be the last official revision before they are presented to you in a final format; probably in July 2015, is our best guess at this particular time.

People that will be speaking to you today are from FEMA, DNRC, DNRC’s mapping contractor which is respect, and you may recognize Dan and Carrie, they’ve been with the project since the beginning.

**Mary Gibson, DNRC Flood Risk Map Program Coordinator:** Where we are in the mapping process is we released the maps July 25th. As you review them, as your staff reviews them, also mortgage and insurance companies see them and they’ll pick up on
any newly effected properties which are now are included in the floodplains area. They’ll send letters out to those home owners and businesses which can be alarming because they’ll say that they may require them to carry flood insurance now; a policy to protect that asset that they have the loan on. So you might be hearing from some of these people, it could be now, it could be later. We just want to make you aware of that. The insurance requirement is a concern because of the cost of the premium but if they sustain a lost, these folks might be glad that they have the flood insurance and of course that’s what we’re trying to map is the risk of a possible flood. So your role is really to make the maps available, which the staff has done by posting them and also I think making paper copies available. Right now we’re in this 30-90 day period where you have a free time or additional time to review the maps, note anything that might need to be corrected or that you have questions or comments on. Eventually there will be an appeal period that starts that’s an official regulated appeal period of 90 days and that cannot be extended. We’re in town having a variety of meetings to get the maps in front of people and to explain their basis. Let me say a little bit more about the appeals; once the appeals are resolved you will receive a letter explaining how those were resolved and at that point and time the maps go into becoming final and you start your adoption process – the process to revise your Ordinance or Resolution and then to adopt the new maps.

Carrie Higinbotham, Respect Consulting (formerly PBS&J and formerly Atkins):
What I plan on doing today is talking about some of the changes that we’ve seen on these maps. There are quite a few changes that have been made throughout the county but as Todd alluded in the beginning, these changes have been made to make the maps a better product. One of main goals of this project was converting the old paper, hand-drawn floodplain boundaries to a digital environment. A lot of people think that all we did was just take the lines that were on the old floodplain maps and put them on a new map ~ there’s actually a lot more that goes into it. We start with a new base map, in this case its aerial photography. Where available we use update topographic data, for Missoula County we 1999 two-foot contour data for parts of the county and the city. So we overlaid that on top of the base map and then we also added the flood data from the effective maps. We made sure all of those aligned and that’s how we produced what we’re now calling a DFIRM, a digital flood insurance rate map. In addition to the paper maps, all of the GIS data that was used to produce this map is made available. The county GIS staff already has that data in hand.

With the maps and the GIS data there’s also a report called the flood insurance study or FIS. We have updated this document to include recent flood information. This is also where you go to get accurate flood elevation information. What’s shown in the FIS is actually more accurate than what is on the maps.

The last document that I wanted to touch is what is called the SOMA or Summary of Map Action. If there’s a home owner that’s within a mapped floodplain and they have elevation data showing that their structure is actually higher than the base flood elevation, at any time they can submit that data to FEMA and if it’s approved, FEMA will send back what’s called a letter of map amendment or a LOMA. It’s a document that says; yes, you are in fact out of the FEMA floodplain. This document has not been finalized; it’s still in the preliminary stages so we encourage county staff to review that and if they can provide additional information about a case to please let us know that and we’ll make sure that it gets categorized correctly.
Commissioner Curtiss: So if they had to use an engineer to submit the letter and the information in the first place, that gave an elevation of where their house was, how do they end up back in?

Carrie Higinbotham: If there’s a new study that was done in that area that it’s changed the base flood elevation.

Commissioner Curtiss: So it could be because the river channel changed or something?

Carrie Higinbotham: The channel change, a new study that was done, and I'll talk about some of those areas in just a minute. For the most part, a good number of the LOMA’s are going to be revalidated, which means they’re in the out and still out category. One thing to note is that the base flood elevations are not new. The modeling is not new but the mapping has been updated.

Shawn McNabb from FEMA will be talking about how people can appeal this information. They would not be able to appeal the elevation or the modeling but they could appeal the mapping.

There are certified levee’s within Missoula County. By certified I mean they meet FEMAs specifications. There are four; a levee on Grant Creek north of Interstate 90, the Orchard Homes levee, the area 3 levee and the area 5 levee. I believe the only one that’s within the county is the Orchard Homes levee and that one has been certified.

There were several new studies that were done within the county. There was a new study on Butler and Laval Creeks. There was also a new floodway that was done on the Clark Fork River south of Frenchtown. It extends upstream, it starts at about the I-90 exit for Frenchtown and the new floodway extends downstream to where the current limit of detail study is shown on the current effective maps. We also incorporated what we call an existing data study near the Reserve Street Bridge. There was a new approximate study done along Lolo Creek. It started upstream at the Forest Service boundary and extends approximately 11 ½ miles downstream and ends near the current effective zone A.

In June 2012 Missoula County did send a letter to FEMA and in that letter identified four specific areas that they had concerns about. We were able to address those concerns in this release of the maps. The first was there were meanders along Lolo Creek that had not been incorporated into the floodplain. We were able to look at those areas, compare them to USGS topo maps, and in most cases we were able to now show that as floodplain.

We also looked at the Clinton area where the railroad berm was acting as a non-levee embankment, new survey data was collected and that railroad embankment is no longer shown as providing protection. There’s a similar situation on Nine Mile Creek.

Finally, there was what’s called a zone x island that in the area of the new Clark Fork floodway that zone x island had partially removed on previous versions of these maps, we’ve now added that back in.

Sometime in the next 30-60 maybe 90 days there will be a publication in the Federal Register and once that happens the Commissioners will receive a letter from FEMA stating that the day 90 appeal period will begin after two newspaper postings and the dates of those newspaper postings will be listed in the letter that you receive. The date of the second newspaper posting is the official start of a 90 day appeal period. During that 90 days are when appeals and comments need to be submitted to FEMA. Prior to the start of the 90 day appeal period, we encourage people to look at the maps and start preparing any information that they’re going to submit during the appeal period. You don’t have to...
wait until the appeal period to start preparing data; it's just that 90 days is when you actually have to get the information to FEMA.

**Shawn McNabb, FEMA Region 8 Denver Office:** I’m gonna go through the appeals process real briefly here and talk about it a little bit in terms of what constitutes an appeal, what constitutes a comment and then also the LOMA process as well for the individual home owner.

The appeals process essentially is set up to provide you an opportunity to object to the map, whether that’s through a comment or through an appeal. We’ll go through the difference between those in just a moment. The big thing is bearing on how the study was done, how the information was brought into the digital environment, that’s gonna vary on the data that is available for appeal. So when we’re looking at the appeals process it really is a technical issue and this is normally going to include a large area. If the appeal goes through the process and is accepted and the new data accepted it’s going to have an effect on the shape of the floodplain, so it’s an actual change that would be shown on the map. These do need to be supported by scientific and technical data, so whether that’s a brand new study, whether that’s updated topography or whether that’s challenging the methodology that was used to bring that information over from the paper world to the digital world. With the appeals they can only be submitted during that 90 day appeal period but as Carried mentioned that doesn’t mean they can’t be complied and put together now and submitted day one of that appeal period and then use that entire appeal period to submit more appeals, if you need to as well. So encouraged to look at the maps and go over them now so that when that 90 day appeal period does open, you’re ready to go.

So there are two processes, two mechanisms to objected to the map. We just went through the appeals process which only can be submitted during that formal 90 day appeal period. The other mechanism is the comments process and that’s open now that opened when the maps went preliminary. Comments do include things like road names that are in correct, stream names that may be incorrect, jurisdictional boundaries that may be in correct. These are base map features they don’t have an effect on the floodplain but there just to make sure that when the maps do go effective that all the information is for the base map. That would be more representative of a comment and not an appeal.

On top of those two processes, the appeals and the comments, there’s also the letter of map amendment which we talked a little bit about that are reflected in the SOMA’s as well. That’s more of a localized single property owner process of looking at are they in or are they out of the floodplain. This is supported by survey data and it’s processed against the current effective map so if a LOMA is submitted now it will be processed against the current ADA effective map but would be re-evaluated as that list, like Carrie said is in its draft format before the map goes effective to see how LOMA, if it’s in and still in or out, what the determination is that would reflect on the new SOMA before we go effective.

After these community meeting there will be a little bit of an unknown time period that publication will happen in the Federal Register. Once that happens, there will be two publications in the local newspaper, a second publication the day of that second publication will open up that 90 day appeal period. Everything needs to be submitted by that 90th day. All those appeals go through Todd and then he compiles them and sends them to me at the FEMA office and then we redistribute to DNRC and to Respect and then all the appeals are looked at. Depending on the number of appeals that are submitted and the nature of those appeals, if they’re highly technical, if there is a new model that’s submitted, that appeal resolution period is going to vary so we won’t really have a good estimate on how long that time period will be until we have all the appeals in. Once all the
appeals are resolved we’ll enter what’s the letter of final determination and that will be issued and that will kick off the 6 month adoption period.

**Tiffany Lyden, DNRC:** I’m gonna talk about next steps and how that will affect the county and things that you can anticipate in the next two years. Those next steps are really how the maps get adopted and then what happens after they are adopted and they go effective. Shawn talked about the appeals and comments that come in will be looked at that and then be processed and evaluated and the maps will get revised based on what gets submitted during this appeal period. Once the final set of maps is developed that will be issued to you, FEMA will send you what’s called the letter of final determination that says, here’s the final set of maps. They don’t go effective right then; they actually go effective 6 months from when they say they are final. That give you a time frame for you to adopt the maps and the way that the county adopts the maps and the city also, is that you adopt them as part of your floodplain regulations. So your floodplain regulations will reference the new maps with the new dates. The date we’re looking at there is probably the letter of determination that you’ll get sent from FEMA will be maybe next January – January 2015, looking at maybe July 2015 as when the maps would go effective. We’ll work with Todd on that but sometimes communities get a little bit stuck because that timeframe does go fast because you have a public process period and so we have to make that we’re all on that same schedule.

The question comes up often is what happens if the community, the city or the county does not adopt the maps in time? There are some ramifications if the county does not adopt the maps. You’re a partner with FEMA in this flood insurance program and so part of that is that if the county does not adopt the map, that has implications for people in the county that have existing flood insurance policies, those policies can’t be renewed and new flood insurance policies can’t be written. It does also have some implications if there were to be a disaster it could have some limitations on disaster assistance to properties that are in that identified risk area of being inundated by a flood.

Once the maps do go into effect, a couple of things to be aware of; if someone submits a letter of map amendment or another type of letter of map revision, those would be processed against the new maps – the 2015 maps. Anything that’s submitted now gets processed against the existing 1988 maps. The other thing that will happen and could start to happen; property owners that own their home outright, probably won’t see any change with the new effective maps. But if somebody does have a loan on a property and the bank still owns that property and that property is in a flood risk area, it’s been identified on these maps as having a risk of being flooded, the bank under federal law has requirement to have that loan carry flood insurance. You may see letters that go out to property owners that may have been out of a floodplain and then now are mapped in a floodplain or properties that the bank has reevaluated that may have been missed in the past. DNRC our floodplain program is certainly willing if that’s something that you think would be helpful to the residents we can provide some outreach or some informational meetings or something to help people with that process.

**Mary Jo Brady, FEMA Region 8 Office Montana:** How are the maps used; they’re used in two ways. They’re used for the community and their members, homeowners and property owners to learn about their flood risk and to understand what that flood risk is so that they can make an informed decision as to whether they want to purchase flood insurance. Then those folks that are identified to be in the high risk area will sometimes if they have loan as, Tiffany mentioned, that they have to carry flood insurance for the life of
the loan, it’s a federal law. The lenders use the FEMA maps to make a determination and what they’re doing is using a picture and a shape, they don’t have detailed information regarding those properties, they just see whether they are in or out of that shaded area. That’s how the maps are used and then we provide them to the community to help everything in the community understand their flood risk and make informed decisions on how they want to manage that risk. Right now there are 229 policies in the county ~ 15% are mandatory purchase. We have an estimate of approximately 800 roofs, we only insurance buildings in this program, not land, not other things, just buildings. Out of approximately 800 buildings currently in the FEMA floodplain, as of right now, 122 policies that roughly translates into about 18% of those buildings that are at risk are actually insured.

**Commissioner Curtiss:** Can you insure something besides your home? Your barn?

**Mary Jo Brady:** You can insure anything and if you have a loan on that property, it will be insured. In this program a building is defined as two walls and a roof. So what’s a flood in this program? It’s two acres or two properties and that water has to run across the land. So the two acres if you have flood damages on two acres you have a large acreage of land that you own, then you would want to take pictures to document that damage. Or two properties so it could be your house and my house, you are flood insured, I am not, we both sustain flood damages but your able to make a claim, where as I am not able to make a claim because I don’t have flood insurance. So the two properties could also be your flood insured property and the city or county road in front of you, that’s a second property that meets the definition ~ you can make a claim if you have flood damages. It does not require a disaster declaration to make a claim. Historically there have been 77 claims in this community since we started tracking that information dating about 1978.

**Chair Landquist:** When you say ‘this community’ you mean Missoula County?

**Mary Jo Brady:** Yes. Only 32% of those claims were in the high risk area. 68% of the claims were outside the FEMA floodplain. So that begs the question; are the maps wrong? We don’t think so but quite frequently you will see a real event that does vary from the FEMA maps. And why does that happen? Because we use certain assumptions, certain estimates and programs to develop the flood risk and reflect that on the map and real events can and do vary from those assumptions that can result in a different response of the water shed. Or you can have an event that is not even intended to capture by our program such as a levee failure or a farmer’s canal that runs through the county and it over flows and it runs across the land, that property owner might sustain flood damage. So regardless of source, cause, ownership or frequency of the event, if you sustain flood damages and meet the criteria of two acres, two properties, and the water runs across the land you have flood insurance, you can make a flood claim. When we’re seeing the claims being a higher percentage outside the FEMA floodplain, it indicates that there are other events that are occurring that did not match our assumptions for the program and the program is based nationwide so that we’re consistent from place to place, we’re using the same assumptions across the country. It just indicates that you do have flood events that occur that are not necessarily captured by our program. For instance, the highline tends to experience flash floods pretty frequently and the weather service part of their Facebook
page and I’m getting regular notifications of flash flood potential and historically that is where their damages come from are flash floods.

One other thing I wanted to mention and as Tiffany indicated, if you’re under mandatory purchase and…how many postcards did you send out Todd?

**Todd Klietz:** 250

**Mary Jo Brady:** And that was for folks that were potentially out right now and going in so people that will see a change.

**Todd Klietz:** Correct.

**Mary Jo Brady:** For those folks the lenders and FEMA has no control over what the lenders are doing, we don’t have access to their information but they do have to follow the federal law and require flood insurance if a property has a federally touched loan, which is the bulk of loans for single family homes and if it’s federally touched then they’ll have to come back in and require flood insurance. As the maps become closer to being effective, once the date is known, a lender might start contacting their property owners or their borrowers and saying hey, you need to buy flood insurance because you’re going into the FEMA floodplain. And the borrower says, oh I don’t believe that, I’m not going to do anything so the lender send out another letter and says you need to buy flood insurance. And if that’s case ~ buy flood insurance. The alternative is that the lender will force place a policy upon that borrower which is very expensive and as the policy holder in the event of a claim, guess who gets the money? The lender because they’re the ones that own the policy. So it’s important to share that information if you have a conversation with somebody and they’re talking about my lender is sending me these notices and I don’t believe them. They have the opportunity as Shawn mentioned, at any time to pursue a letter of map amendment, that is an opportunity available at any time, it’s never mandatory by FEMA but if they meet the criteria then they can be removed from the mandatory purchase. If that were to happen that they would submit a letter of map amendment and they meet the criteria, the determination from FEMA is for removal, they would take that letter, go to their lender and the lender would send a letter back saying; you’re right, you are removed from the mandatory purchase. Then you would run as fast as you could with both pieces of paper to your insurance agent and say, I would like a refund. Not every LOMA application will result in removal but it’s an opportunity to pursue that if a borrower is interested. That process measures to a 1/10 of a foot in elevation whereas the FEMA maps are much coarser in their level of detail that is why the process is available.

**Chair Landquist:** When you talk about a letter of map amendment, it’s not like that’s a service that’s provided by FEMA or DNRC, that’s up to the person that owns the land or the bank that wants the LOMA to happen. They have to hire a surveyor to do that survey work to provide that information that’s then sent in to see if it qualifies?

**Betty Jo Brady:** Yes, that’s correct. If they’re success in that effort then they are relieved from the mandatory purchase. The lender might still say since they still technically own the building, they just let us live in it, that they might say you still have to carry flood insurance. But in that case you could expect that the rates would be cheaper because your risk has been identified to be less. So the lenders always have that option and so institute that requirement and so don’t, we have no control over that. As I said, real events can and do
vary; just because you’re in the FEMA floodplain doesn’t mean you will flood every time, just because you’re out doesn’t mean you won’t flood. It just says; this is the highest risk occurring to the assumptions of our program, understand the limitations of that information and make some choices then make an informed decision as to whether flood insurance might be a good investment for you. Groundwater seepage is not covered by this program. Groundwater seepage isn’t covered by homeowners or by flood insurance and the reason is that there is no way to map that risk.

Todd Klietz: Betty Jo, could you or Shawn perhaps touch on the numbers of roofs in the 1988 floodplain versus the 2013 draft floodplain maps?

Betty Jo Brady: There are approximately 800 roofs currently in the FEMA floodplain. There are maybe 700 buildings, roofs in the FEMA floodplain because the letters of map change can be multiple roofs or just land, we don’t know. Right now that we’ve counted ~ what we did was we took the FEMA floodplain and we overlaid it on an aerial and we counted the roofs. Some of those buildings could actually be out of the FEMA floodplain the mandatory purchase requirements through the LOMA process and there are 127 of those but that’s just a rough estimate. In the 2013 preliminary maps that you are looking at today there’s roughly 760 roofs that are projected to be in the FEMA floodplain. Again, if you use the count of 127 for the letters of map change that number could be reduced but again the letters of map change could be for a single roof or could be multiple roofs or it could just be vacant land, I just counted the number of cases. There is a slight reduction in the new maps for the number of roofs that are in the FEMA floodplain but as Todd mentioned he distributed through the mail 250 postcards to alert those property owners that there may be a change in their flood risk and if they have any questions they can contact Todd.

Chair Landquist: When were those letters sent out Todd?

Todd Klietz: Last week.

Chair Landquist: So they were sent out in enough time for the people to attend one of these hearings that was held yesterday?

Todd Klietz: Hopefully. The postcards that we sent out were strictly to those that were not in the FEMA map floodplain before but are now. We did not send out postcards to people where they were in the floodplain and the boundaries may have changed a little bit on the new maps. Or if they were in the floodplain and not going to be in the floodplain anymore, we just notified the people that were not in the floodplain before and are now within the FEMA map floodplain.

Chair Landquist: So do we have an obligation for those people that were in the floodplain before and aren’t now to notify them so that if maybe they are carrying flood insurance and they might choose not to carry flood insurance because they’re not in the floodplain now? Don’t we have some sort of obligation there?

Todd Klietz: There’s a legal obligation and a moral obligation. Actually there’s no legal requirement from FEMA to notify people when they actually go into the floodplain. We have done that and it would be a great idea if we could also notify the people that are
coming out of the floodplain that well they will still have some risk, potentially some risk, they can at least, if they choose to carry flood insurance, they could get a reduced rate in it.

**Chair Landquist:** So I guess we need to figure out how we’re going to handle that.

**Betty Jo Brady:** Now for those folks that are in and going out, there will probably not going to be very many but I don’t know we haven’t determined that. They most likely would have to go through a LOMA process to be relieved of the mandatory purchase because the lender is using the FEMA map and what happens during the lending process is that the lender will typically hire a third party called a determination company, which is somewhere off in Florida. They take the FEMA map but the problem is that they don’t have the plat information and they don’t know where the building is on the plat, so all they know for frame of reference is that the property is in or near the floodplain close enough that they will call it in until they have before information to demonstrate to the federal auditors that that building is actually outside the FEMA floodplain and so the property owner again has that option at that point and time whether there’s a map change or not that happens all the time. The lender is going to be conservative because they don’t have definitive information, all they have is a picture as an aerial, there’s no elevation information that’s associated with it. The LOMA process provides the detail the elevation information to allow the lender to say yes the criteria’s been met, it’s objective in its determination, it’s not subjective and the documents can record that the property can be removed from the mandatory purchase requirement. You can give them a heads-up but they’ll most likely have to pursue a LOMA in order for the banks to relieve them of that mandatory purchase requirement. But if you’re close you might still want to carry it even if you’re taken out.

**Larry Shock, DNRC Regional Engineer:** I would caution… I think it’s a good idea to notify people that they’re status may have changed and they may have come out of the floodplain. But I would caution sending out cards and letters saying that you’re status has changed and you are out of the floodplain. I think it would be more prudent to have those people that you think have come out to come down to the office, maybe sit down with Todd or some of the staff, look at it on a cadastral in a higher magnification because I wouldn’t want…I think you may be opening yourself up for liabilities if you were to say you are out. I think it would be prudent to advise them they may be out and to come down and check.

**Chair Landquist:** And that’s what I would want to do. I just think that there’s a lot of people that may not watch MCAT, may not get the newspaper, didn’t get a notice in the mail and then hearsay being what it is and rumors being what they are, things just go a rye and go crazy. So I’d rather be more proactive and trying to let people know that the new maps are out and about and there’s an adoption period and just trying to make sure that anybody out there living under a rock might get notified.

**Betty Jo Brady:** You might want to look at sending out some notifications that just say there may be a change to your flood risk determination and they can contact their insurance agency or contact Todd for further information. But they will probably have to pursue a LOMA process in order to document that their status has changed officially.
Chair Landquist: You covered a lot of what insurance covers, what it doesn’t cover and so peoples drainfields and septic’s when a flood comes regardless…you already said groundwater doesn’t cover flood insurance but if a flood running over the landmesses up somebodies…say their house is elevated and their house made it out find but there drainfield got saturated or whatever, does it cover things like that?

Betty Jo Brady: I can look at the policy and try and see how definitive it is on that. I’m not sure. My preliminary guess would be no because it’s not part of the integrity of the building for it to function as a building. The logic is there that for instance if you have contents coverage, which is always optional, always optional. Mandatory purchase refers to structure and the structure covers the foundation and mechanical systems, electrical systems things like that. If you have an attached deck and you have chairs on that attached deck and you know that there’s a potential for flooding so you have contents coverage ~ if you drag those chairs into the house and there’s flood damage inside the house, then the chairs that were outside and now inside are inside the building that is insured and therefore you can claim that as damages. But contents are always depreciated. Flood insurance is slightly different than your homeowners. We only insure to the value of the policy, so we only insure the building, not the value of the land and it’s the replacement cost of the building, not the market value of the building. It’s important for folks to understand their flood risk and make an informed decision. The flood insurance policy and other information on the flood insurance manual is available on the FEMA website, anybody can download it at any time. We update it twice a year. And the rate schedule is in there also.

Todd Klietz: I did want to state again that we’re thankful for all the work that the DNRC and FEMA has done over the last several years in revising the maps and making them more accurate. There is one point that I do need to share with you and that’s on the Swan River, which is an approximate A floodplain meaning that it hasn’t been surveyed, there’s no hydrologic or hydraulic data behind the floodplain there. Showing an aerial photo from 2011 addressing the location of the Swan River/floodplain area. Between 2010 and the new version of 2013 it shows that we’re basically back to where we were in 1988, where about a mile or mile and a half of the Swan River actually isn’t in the FEMA designated floodplain of these draft maps. When the river actually isn’t in within the map floodplain that gives us pause as to what needs to happen there. It’s an inaccuracy of the map, they’re aware of it but that’s how it sits today. I think you should be aware and maybe we can ask FEMA to address that.

Steve Story, State Floodplain Engineer with DNRC, Helena: This issue has come up before so we actually looked at this with FEMA, Todd had brought this to our attention previously. I think from a previous appeal or comment that was brought up. In the most recent update of the maps as he showed it got changed back. The primary reason it got taken back to the effective maps was that it appeared it looks like a map got cut (Looking at map, a note says ‘limit of study’.) So what happen when they originally did the study and this was approximate mapping at the time, it appears they for whatever reason, they maybe didn’t have enough information. But they did not include this part of which was probably a side channel at the time, maybe this was the main channel at the time and this might have been a side channel but they didn’t actually map this flood risk through here. So basically for it to be identified we have to have data to include that flood risk, which we don’t have. So it had to be taken back to the effective mapping. It’s the study limit was
there so basically we would have to restudy it to identify that risk through there with new study data. That’s why it got taken back to effective.

**Commissioner Curtiss:** That doesn’t make much sense when you can see it on the ground. That river…you would want both of those channels in there because how many miles down the road where the river has changed completely by Coal Creek Road.

**Steve Story:** Part of the issue is the FEMA…the mapping requirements are that we can’t widen the floodplain because we’re actually changing the floodplain data. So you’re invalidating, we don’t have data to support that it’s that wide ~ we can’t just change the width of the floodplain without some backup support data. So that’s what’s missing.

**Commissioner Curtiss:** So you don’t show in an area that has the stream migration zone?

**Steve Story:** Basically if both of those channels were studied and we had a total width, we could adjust the channel, the left channel there such that it matched up with the migration of the river. We can make shifts to migration of the river as long as we maintain that floodplain width, for approximate areas. Otherwise it invalidates the data that was originally behind that study. That was why it couldn’t be done here because there wasn’t support data to show what that width might actually be.

**Commissioner Curtiss:** So you need us to pay again to have our surveyors go out and do some surveying? We’ve done quite a bit of that to make corrections so far.

**Steve Story:** Certainly you could provide better data for it to be looked at, to be restudied.

**Commissioner Curtiss:** Pictures of where the water is doesn’t work? There’s other areas that you showed on the maps that were way wider than that.

**Steve Story:** Again, it goes back to that width of this floodplain area for this approximate area, would invalidate that study. So there’s not support, we don’t have a way to defend it if it was appealed, to defend that width under the appeal process. It’s basically that that part of the river previously wasn’t studied and included in that channel. So we can’t just include the channel now because it wasn’t originally part of this study. It’s like if you had a side channel...or if you had another stream coming in here that said edge of study right here that wasn’t studied, we can’t just add that in, it’s kind of a separate segment of the river that can’t be added in.

**Chair Landquist:** We don’t have to embrace all of these maps. I guess the County’s going to have to use common sense and ask for a redo on this one, I just can’t see in good conscious how we can accept your recommendation on this one. Todd were there any others on their map revisions?

**Todd Klietz:** Again, we just got the maps a week or so back so we just started our formal...we didn’t get a chance to look at these before they came out. We got them on the 25th and we’ve been reviewing them, this is the most glaring one that we’ve seen to date.

**Chair Landquist:** But there’s probably some other smaller ones I’ll bet.
Todd Klietz: Yes. There may be some other comments and that’s what the appeals process is.

Chair Landquist: So we’ll be engaged in the appeal process once again, unfortunately.

Commissioner Curtiss: I think we have pictures of the bridge when the river took it out.

Steve Story: I’ll just comment on this that it’s basically the only…we’re not changing any of the boundaries here from what’s effective, the ’88 effective maps basically, it’s gone back to what those maps showed.

Commissioner Curtiss: Why doesn’t it state…you showed it wider before so why couldn’t it stay that wide – that one?

Steve Story: Yes that’s the way it was originally done and as it went through technical review that was caught by FEMA as an issue that needed to be corrected.

Chair Landquist: What was the technical review? Was somebody actually out in the field collecting some data and doing some surveying?

Steve Story: We changed that width so much and couldn’t defend that change of the floodplain.

Commissioner Curtiss: So there’s four properties down there in the bottom, those little skinny parcels that are effected by…they’re really at risk and this map is saying they’re not.

Steve Story: So without additional data – this could be a big island in here, we don’t know. It could be two distinct channels through here and when they did this study unfortunately they didn’t include this channel in this study.

Commissioner Curtiss: Who did the original study there?

Steve Story: I don’t know who did that work. HTM? Back in the late 70’s or early 80’s, something like that.

Greg Robertson: This situation is very similar to the mapping I encountered on Grant Creek. In that, where it was mapped was at a location where the creek hadn’t been and documented more than 100 years. In other words, when the so called approximate study was done it was wrong to begin with, it wasn’t even close – like in some areas it was a mile off of where the channel had been historically for 100 years. This seems to be the same kind of thing; honestly this does not make a lot of sense to me.

Chair Landquist: It really seems unfortunate to me, we have an opportunity here to try to get it right and this is obviously missing that opportunity to get some of this right. That seems intuitively obvious. No wonder tax payers get upset when common sense can’t be utilized when the eye, with or without glasses, I can actually see that without my glasses and I’m enjoying my glasses and seeing better. You can see that is intuitively obvious and that’s something that we won’t be able to accept unfortunately.
Mary Jo Brady: You said that the county bridge had washed out as a result of that flood event?

Commissioner Curtiss: It didn’t wash completely out but it had to have quite a bit of repair, didn’t it Greg?

Greg Robertson: Yes.

Mary Jo Brady: Was there FEMA assistance provided for the replacement of that?

Chair Landquist: The answer to that was that we didn’t meet the threshold.

Mary Jo Brady: Was there a floodplain development permit pulled for that work that was done on the bridge?

Greg Robertson: Yes. All permits were….any in-stream work we do requires the whole cadre of permits.

Mary Jo Brady: Did the replacement bridge alter the floodplain in any way?

Commissioner Curtiss: It was just repaired; I don’t think we replaced the whole thing.

Mary Jo Brady: Because in situations like that if a letter of map revision would be recommended to capture the change then perhaps some of this information we would have been aware of sooner.

Chair Landquist: When was the bridge impaired by the water, what year? Wasn’t it a couple years ago? And it took us a couple years to assess the damage and watch the water?

Greg Robertson: Yes.

Mary Jo Brady: This was from the 2011 flood event wasn’t it?

Chair Landquist: Yes.

Mary Jo Brady: Well I would think that one of things that we’ll have to do is just see what information is available to us now and assess it and move forward from there, to see what can be done and when it can be done. I can’t commit for the agency at this time but we certainly just learned about this issue and we need to find out what information is out there that we can use and see…we just need more information at this point and time.

Commissioner Curtiss: Todd, did we fly this piece of the river LIDAR? So we have some new LIDAR maps too that we just did this year.

Mary Jo Brady: Well that would be the place to start, is to find out what information is out there that can be used and then we can look forward to seeing what can be done at that point and time. That would be the best that we could do at this point and time.
Todd Klietz: That concludes the presentation that FEMA and the State had for us, thank you for coming. Tonight at 7:00 here at this location we’ll be having both the City combined public meeting where the general public can come in and look at their property and relationship to these new floodplain maps.

8. OTHER BUSINESS
None

9. RECESS
Being no further business to come before the Board the Commissioners are in recess at 4:21.