1. CALL TO ORDER
Commissioners Present: Commissioner (Co-Chair) Nicole “Cola” Rowley, Commissioner Jean Curtiss
Commissioners Absent: Commissioner (Chair) Bill Carey

Staff Present: Lisa Moisey, CAPS, Dorie Brownlow, Development Director

2. PLEDGE OF ALLEGIANCE

3. PUBLIC ANNOUNCEMENTS
May 16, 2015 is Kids Parks Day
Proclamation read by Commissioner Curtiss. For more information visit Kidstoparks.org.

4. PUBLIC COMMENT
Charles Drinville: I live at 4024 Montana Avenue, E Clinton. That road has been there ever since the first bridge was put in to Swartz Creek. Now, since its Montana Avenue the County won’t maintain it. I’m not asking to maintain it; I’m asking to get somebody for dust control. Last year I put about $200 into buying dust control and putting it down myself, it was authorized dust control. I’m just asking for some help on it.

Commissioner Curtiss: We’ll have Public Works call you; you might still be able to add on to the dust abatement contract that we have, so you can get a good price.

Charles Drinville: I just want to be a good neighbor. I plow and everything else in the wintertime too.

5. ROUTINE ADMINISTRATIVE ACTIONS
Current Claims List ~ $2,055,101.75
Executive Session
Commissioner Curtiss approved the current claims list in the amount of $2,055,101.75. Commissioner Rowley second the motion. The motion carried a vote of 2-0.

6. CONSIDERATION
Resolution to request City annexation of County portion of Fort Missoula Regional Park

Lisa Moisey gave update with PPT Presentation.
I'm here representing the projects team for the Fort Missoula Regional Park. On behalf of the projects team we're requesting that the Commissioners consider our recommendation to petition the city of Missoula to annex the county own portion of the Fort Missoula Regional Park and the associated portion of the South Avenue Road. Lisa went over park boundaries. When the park is complete, it will be a completely redeveloped, remodeled county portion and the redeveloped city portion of the park. Currently and for the past 20 some years Missoula County has had a contract with the City of Missoula to manage and maintain the developed portion of the park.
I want to talk about what this recommendation isn’t ~ this request for annexation does not include a request to change ownership. The County will continue to own the 63 acre parcel; the City will continue to own their parcel. This is truly a partnership project. The ownerships would stay as they are. The request is just to annex into the City. It's also important to recognize that there are other county parcels that are out in this area that have been annexed into the City and are still owned by the County. For example, Missoula County owns Larchmont Golf Course, that's County owned land that has been annexed into the City. The County also owns the land on which the Missoula County Historical Museum is situated; also County owned land which is in the City limits. Other examples would be the County Courthouse and Missoula County Fairgrounds, both owned by the County in the City limits.
A little bit about the Projects Team for those of you who aren't familiar with this project. Last November the voters approve a general obligation bond for 42 million dollars, a portion of which will fund improvements in the development and implementation of the Fort Missoula Regional Park. After that bond was passed, the City and County entered into an interlocal agreement that provides the structure for this important partnership and it provides the outline and the protocol for how we work together as City and County and the decision making protocol. Because it’s a County bond, the Board of County Commissioners has the ultimate oversight over contracts and expenditure funds but we work closely with the City on developing the project. The interlocal agreement set up two (2) teams, one is projects team and the other is an oversight team. The projects team is designated employees of the County and the City who are charge of the day-to-day activities pertaining to the development and construction of the Fort Missoula Regional Park. It’s the responsibility of that project team to keep the project moving but also to identify project needs and make recommendations on solutions to the project oversight team to best support the success of the Fort Missoula Regional Park. So that project team is truly working on behalf of the best outcomes for the park. The oversight team is essentially our bosses and our City and County Leadership who are charged of overseeing project management functions regarding the development and construction of the Fort. Additionally the oversight team is responsible for coordinating matters regarding the Fort Missoula Regional Park that need to be or are appropriate for being brought before the respective governing bodies.
The request is essentially relating to how can we have a consistent set of rules and policies that are enforced across the entire FMRP (Fort Missoula Regional Park), regardless of the underlying ownership. By annexing the county portion into the city, it allows us to setup the City Police to enforce city park rules. The question has come up, why do we need to do this now? Part of it is we’re moving from our 30% design for this park, to 65% design, soon to 95% design and then we’ll need to start permitting. It makes sense to the projects team that we move forward with the annexation now so that all permitting can be under the same jurisdiction and it would be done under the city jurisdiction, which is the same jurisdiction who will be managing the park and maintaining the park. One of the benefits of doing that is City Parks has park standards that we can integrate into the design of the park; the county does not have park standards. Another advantage is the City Parks & Rec have a close working relationship with the City Police on integrating what we call CPTED principals which is Crime Prevention through Environmental Design. So are we’re designing now we’re looking ahead at how can we make design decisions that not only are good decisions for park users and their enjoyment but also for the future health and safety of visitors of the park. So our request is for the benefit of the park and what’s best for the park, we look forward to the annexation before we start with the permitting.

Public Comment

**Gary Botchek:** Can anybody answer a question as far as the effect of city annexation and the surrounding applications for future annexation of private property? What I see on this map is a lot of public ownership, not only the High School, but all other locations. I guess what my concern is that if it is possible that the city can annex a piece of other public property, in this case the county, can that be used down the road to wholly surround another piece of property and annex that? It’s critical in the Target Range area, as well as any other county issue. Does anybody have an answer to that question?

**Commissioner Curtiss:** I’ll take a shot at it but I was wondering if anybody from the city could answer? This doesn’t create wholly surround as apposed… I just don’t see how it fits all the way around.

**Gary Botchek:** If you go down further to the west it’s all university property, if you go a little bit further there’s a massive subdivision that adjoins Knife River on the west, and then McCauley River on the east.

**Commissioner Curtiss:** That’s been approved, right?

**Gary Botchek:** It’s been approved but it hasn’t been undertaken or hooked to city sewer. The University has provided an easement and I believe has agreed to hook up to the sewer, if and when it goes in. And all of a sudden you’re extending annex property all the way from Butte. The other question I have is how does a conservation easement on McCauley Butte enter in? In other words, managed under city authorization, will that also then become an annexed portion. When you start looking at that and looking at the potential for Target Range School, the potential of other largely impacted areas like the present fairly massive trailer court that probably has some interesting problems relative to sewer. Consequently while this looks fairly innocent I have a concern about wholly surrounding. The second thing is ~ is it possible to put into a Resolution that while the
annexation will assist the City and County and whatever Administrative requirements, can it also have a portion in the Resolution that says it cannot be used, in this case, for annexation by the city on wholly surrounding issues for private property?

Dorie Brownlow: There’s not an area here where I see that annexing this portion could wholly surround. As far as the county annexation, I don’t see how that could come up, even if it did, I don’t believe you could legally bind it if you’re getting annexed into the city, you can’t really put conditions on that.

Commissioner Curtiss: A piece that makes me comfortable in not creating a wholly surround situation; one, annexation is kind of linear, the southern portion has the Bitterroot River, so you can’t surround there. McCauley Butte Subdivision I’m sure has probably developed a well annexed and again it’s more linear so we don’t have any intention to ask the city to annex Big Sky Park, for example, which would help create a circle. But I don’t think that we can build up future decisions in a Resolution. We hear what you’re saying but I don’t think we’re creating that.

Dorie Brownlow: And to clarify the process maybe, so what the Commissioners would be doing today is; if it passes, the Resolution is asking the city to annex and then the city will schedule a hearing and provide time for public comment, through the city process. They will be the ones doing the annexation, so I think that could be a question brought up to the city when it becomes Hearing time, if that’s the way this goes and there’s a Hearing in front of the city.

Ann Rupkalvis: I’m just not clear about the University part of this parcel. Is that part included in this annexation?

Lisa Moisey: The recommendation from the projects team is that any land owner in the Fort Missoula Regional Park should annex into the city. That recommendation has been forwarded to the University, but they need to make a request to do that. This question here, for which the Commissioners are considering, is just the portion that the County owns.

Ann Rupkalvis: So is their city owned portion of the park county land?

Lisa Moisey: Its city owned, outside the city limits. It hasn’t been annexed.

Ann Rupkalvis: What does annexation do?

Commissioner Curtiss: I think one of the biggest things that I see that it does and things Lisa talked about ~ one is, you live out that way, you know that on the fourth of July it’s a free for all and we pay to have somebody clean that up. Well, we probably have some extra deputies on duty that day so this would extend that ordinance, for example. An Ordinance power is always stronger than a Resolutions power. Also, because we don’t have very many developed parks, we don’t have the level of park standards that the city has already adopted. The one that we talked about today called Crime Prevention through Environmental Design; it’s so there aren’t bushes to create places to hid and those kinds of things. They already do that, so it mostly just lets us develop this park probably in a more urban, kind of suburban way.
Ann Rupkalvis: So all the city park standards then would be transferred to the entire package?

Commissioner Curtiss: That’s what we want the design team to design to.

Ann Rupkalvis: Lease dogs?

Commissioner Curtiss: Lease dogs. Yes. So it also doesn’t create confusion; I’m in the county portion of the park because I walked past the softball fields, so I don’t have to have my dog on a lease, now I’m on the city park portion and I need to have my dog back on a lease. We just need uniformity so people aren’t confused.

Executive Session
Commissioner Curtiss: Sometimes we say petition because that’s what people usually do to annex, but the law actually says that we just request. So this Resolution is just a request, it will then go to the city. Have they scheduled that yet? So sometime in June we’re thinking? And at the same time they will probably also be considering, hopefully, the city’s portion and if the University decides to come forward. Which also enforces that piece that’s the cow pasture right now, the school district could ask that it be annexed at the same time.

Motion
Commissioner Curtiss made motion that the Board of County Commissioners adopt the Resolution that’s before us. Commissioner Rowley second the motion. The motion carries a vote of 2-0.

Comments
Ann Rupkalvis: When you mentioned South Avenue ~ does that make the City Road Department responsible for any improvements to South Avenue, with regard to the park development, instead of the County?

Commissioner Curtiss: Maybe Lisa wants to address this. There are some portions of that that are anticipated at the intersection and the park project, but the street itself wouldn’t be, as far as the park annexation goes, it would be in the jurisdiction of the City.

Ann Rupkalvis: So beyond that border it’s still county?

Commissioner Curtiss: Yes.

7. OTHER BUSINESS
Fred Stewart: I didn’t get here in time for the public comment spot on the agenda. The Target Range Home Owners Association is working on implementing zoning changes connected to the Target Range Neighborhood Plan that the Commission has signed in 2011. We’re working with CAPS to provide the public meeting at the Target Range School, multi-purpose room, a week from today, 7:00 p.m. And I’ve been working with Lewis Yellow Robe at CAPS and he informed me today that you, the board, won’t be getting together again prior to next Wednesday, so I wanted to take this opportunity today
to let you know that meeting is going to take place. A mailing has been sent out by CAPS, to all the property owners that would be affected by the zoning change. We hope to have a good turnout. The home owners are sponsoring the meeting, we’ll have assistance with folks from CAPS to help answer the technical questions and if either of you or Bill are available to sit in on the meeting, you’re more than welcome. Hopefully as a result of this we’ll be getting all the information that’s necessary so we can move forward.

**Commissioner Curtiss:** We’re in Bozeman Monday, Tuesday and Wednesday so we're unable to attend.

8. **RECESS**
   Being no further business to come before the Board, the Commissioners are in recess at 2:04.