COMMISSIONERS APPROVAL

IMAN JR

CHILCOTT

FOSS SYV

STOLTZ

KANENWISHER MK

PLETTENBERG (Clerk & Recorder)

Members present.....Commissioner J.R. Iman, Commissioner Greg Chilcott, Commissioner Suzy Foss and Commissioner Ron Stoltz

Date.....April 29, 2011

►Minutes: Glenda Wiles

►The Board met at 9:00 a.m. for a working session on the Subdivision Regulations Revisions. Present were members of the Planning Staff and members of the public.

►The Board met at 1:30 p.m. for a review of the Juvenile Detention Facility in regard to juvenile justice system mandates. Present was Deputy Chief Probation Officer Clint Arneson, Probation Officer Madison Ruetten, Deputy County Attorney Angela Wetzsteon, Sheriff Chris Hoffman, District Court Judge Jeff Langton, District Court Judge Jim Haynes, County Attorney William Fulbright, Juvenile Detention Supervisor Cal Robinson, District Attorney Investigator Pete Clarkson, Deputy Steve Holton, Probation Officer Deanna Stewart, Darby Town Marshall Larry Rose, Hamilton Middle School Principal Dan Kimsey, Attorney Alex Beal, Attorney Dave Stenerson, Pinesdale Chief of Police Dewey Alsop, Ravalli Republic Reporter Whitney Bermes, Past Deputy Chief Probation Officer Dave Demons, Attorney Alex Beal, Citizens Bill Menager and Charles Wissenbach.

Commissioner Chilcott noted the minutes will reflect the discussion of the issue today with no decisions being made. Introductions were then made.

Clint Arneson stated the issue for today's discussion is the juvenile justice system in Ravalli County. He noted the juvenile detention center is an integral part to the preventative work in this county. And following are some of the reasons:

- In regard to history of youth detention, thirteen years ago there was an average of 15 youth in court each week. Today between the two District Court Judges only 12 youth were disposed of in court for the year. Thus, the Detention Facility has drastically reduced the number of youth that have to appear before the judges.

- Spending a night in the detention center also helps to reduce the amount of recidivism and referrals to the Judges and the County Attorney's Office. He stated the access to the detention center has played a key role to their work in prevention.
- In 2004-2005 Ravalli County was on the cusp of receiving a third Judge, Clint feels the use of the Detention Facility might be one of the things that kept Ravalli County from having to have that third judge. He is in favor of keeping the Detention Facility; our state data base information shows the importance of having the Detention Facility to keep recidivism down (7% at six years now).
- Clint addressed how juveniles are processed, which included being detained by a Law Enforcement Officer. Currently 99% of the juveniles do not see the judges; instead they are processed through the County Attorney's Office. Clint stated the 'hammer' in keeping these youth on track and out of trouble is having the Detention Facility. Because for many of the youth, once they spend a night, or tell others about the night they spent, they don't want to come back.

Previous Deputy Chief Probation Officer, Dave Demons discussed how in the past the juveniles had to be transported to other facilities because of Judges Orders. Big problems occurred when Dave had to find a place to house the youth somewhere else in the state. Dave when he could not find a place to house them, they did not have that immediate 'hammer' over them keeping them accountable for their actions. Therefore, his office began to lose credibility with the youth as they did not think there were ever any consequences. Dave stated juveniles if not treated correctly will become adult criminals, and this Detention Facility is critical to keeping the youth out of trouble and out of adult court.

Clint stated some youth spend one night in the facility, others with sentencing end up spending a few weeks. Clint suggested the Commissioners review the last twelve years in order to see that the Detention Facility does work. He also noted the Detention Facility allows a 'less complex' process when a juvenile is arrested because they don't have to transport them somewhere else, which is a huge savings in personnel and transport.

Commissioner Iman asked about reserving time for juvenile appearances in court. He felt that might allow the juvenile detention staff some cost savings and while that is simply one piece to the puzzle it is important to address the costs in order to gain some efficiency.

Clint addressed some scenarios of transporting youth to other facilities during different times of the day and alternatives in regard to releasing the youth to their parents thereby reducing the caseload to the County Attorney and Judges.

Judge Langton stated they might be able to set specific times in court for juvenile appearances. Angela stated if the juvenile was arrested at 11:00 a.m. her office would not receive the reports in order to have them to the Judges by 1:00 p.m. She noted appearances must be within 24 hours so the 1:00 p.m. appearance time might not always work. Judge Haynes suggested they look at audio/video hearings for probable cause.

Larry Rose stated they save quite a bit of money on juvenile detention that is a cost savings to the adult detention budget later on. Clint agreed and noted in 1997 the budget was $500,000. In

2011 the 21st Judicial District placement budget is $160,000, so preventive work does work (developing programs, i.e., community programs such as alcohol classes, & BEAR). It is also important to keep the juveniles in the community thus keeping them out of the court process. It was noted the placement budge of $160,000 comes from the State. Commissioner Iman indicated leveraging the county budget and this state money might be helpful.

Judge Langton stated he and Judge Haynes are currently at full capacity for adult caseload. Currently he sees fewer juvenile delinquents graduating to adult court because the youth understand when they are being immediately detained. He believes that 'hammer' as Clint and Dave call it, keeps them from continuing in their behavior. He too feels that by keeping them in the community it helps get them through their problems.

Charles Wissenbach thinks the juvenile detention facility is important. He was asked to minister to a youth that was in juvenile detention and he felt being incarcerated helped the youth listen to his mentors. Case studies show stress affects the neurological portion of the brain. The court process can help this stress. He also suggested volunteers be used in the office.

Judge Haynes passed out a pie chart underscoring what has been discussed. This breakdown of cases goes back to 1980. He suggested the Commissioners run any ideas by the Judges, Probation Office and County Attorney's Office when it comes to looking at the options available in order to keep the juvenile Detention Facility open.

Sheriff Hoffman stated he stands behind keeping the detention center. Transporting juveniles is not without costs.

Cal Robinson agreed with what has been stated thus far.

Private Counsel Alex Beal stated as a past Deputy County Attorney he worked within the juvenile process. Keeping the process localized addresses the transportation inefficiencies which ultimately cost money. Sometimes there is only one Deputy and when a transport is needed it causes other law enforcement problems.

Private Counsel Dave Stenerson urged the Commissioners not to cut back on the Detention Facility.

County Attorney William Fulbright stated the MCA allows for video conference and asked Dan Kimsey what the perception of the youth is in regard to a Detention Facility. Dan stated when parents ask for help because they are afraid of their children; it becomes important for the law enforcement officer to be able to place the child immediately. In regard to middle school aged youth, they know the facility exists and that is important.

Commissioner Iman stated there are several areas they should be looking at to solve this problem. Those are: 1) transportation, 2) scheduling 3) timeliness of services 4) cooperation between departments and 5) obligations transferred to other entities.

Judge Haynes stated any use of volunteers must be addressed with the state in regards to the licensing.

The Board thanked Clint and others for their hard work.

► The Board met at 2:37 p.m. to discuss and make a possible decision on amending Airport Resolution No. 1244 and Resolution 2192 and to discuss and make a possible decision on alternative options.

It was noted the Commissioners request a narrative of the discussion for minute purposes.

Commissioner Iman noted this meeting was calendared after the last meeting of April 22nd. Commissioner Iman called upon Commissioner Stoltz. Commissioner Stoltz indicated the draft resolution was written by Commissioner Kanenwisher who is not present.

Commissioner Chilcott stated the Commissioners made their amendments to this draft since the last meeting. Commissioner Stoltz noted this new draft has been reviewed by legal counsel.

Commissioner Foss stated this new resolution is good and it will work for the Commissioners and Airport Advisory Board. She has no changes.

Commissioner Stoltz agreed this new draft resolution is fine as written.

Commissioner Iman stated the previous resolutions addressed the operation of the airport and were mixed into the expansion of the airport. He felt this resolution separates those issues and also addresses who the members are.

Commissioner Chilcott asked about the Commissioners' agreement made in 2001 with the citizens who presented the petition requesting a vote by the people if expansion was every proposed. He asked if by removing that issue from Resolution No. 1244, would there be a separate resolution allowing the right to vote? Commissioner Iman stated that can be addressed by the Board at this time.

Commissioner Chilcott stated while he was not a County Commissioner at the time, he understands there were 6-7,000 signatures gathered, so that language from the petition was captured in Resolution No. 1244. And because of that agreement, the citizens withdrew their petition. To unilaterally remove that and not discuss it is wrong.

Commissioner Stoltz stated the manner in which Resolution No. 1244 was written is conflicting because essentially anything they do would need to go to a vote of the people. He stated it is important for the Commissioners to run the County, not pass the buck. This issue has been ongoing for 30 years. If the Commissioners do nothing, then the citizens will be buying this airport back from the FAA due to health and safety issue.

Commissioner Chilcott stated enlarging the airport means to expand its base not to build a hangar. Extending the runway is clearly enlarging the airport. For him personally, this county

made an agreement with some citizens back in 2001 and to throw the whole resolution out due to a semi colon is wrong.

Commissioner Stoltz stated he cannot find any documents or petitions that prove that.

Commissioner Foss stated if she had anything that clarified this issue it would be better. Currently our county is in economic crisis with no light at the end of the tunnel. She wants to put our county in a position to be ready for growth. Economic vitality is important and the airport is a key to the creation of jobs. The airport is dangerous now; it is not safe for the existing businesses and users. Commissioner Foss noted a Forest Service document which addresses the unsafe condition of the airport. She felt the Commissioners do not have the luxury in putting this decision off for another few years. She feels adopting this resolution is a step forward.

Commissioner Iman stated he cannot without any physical information know the intent of the votes cast on this particular issue in 2001. However, resolutions create a direction the county wants to go. Resolutions can be modified, changed, and created, as the needs and times changes. He personally believes the second amendment to Resolution No. 1244 should have been handled separately. Having a safe airport has been addressed through the years, but the safety has never been addressed in this county. Resolution No. 1244 addresses how long the runway is, and the standard for this size of an airport is 5,200'. The ability to have a landing surface in the future to have a 5,200' runway has been signed and approved by the Commissioners. Since 1978 the Commissioners have not reacted to the necessary safety.

Public Comment was then called for.

Greg Raymond asked if they adopt this draft resolution do the previous resolutions go away. Commissioner Chilcott stated it rescinds those resolutions. Greg stated that is a back handed way to get rid of the resolution. Commissioner Iman stated the question is whether this draft eliminates page 4 of 4 on Resolution 1244, so should that be part of another resolution?

Scott Wyle stated the language of the draft puts a large amount of responsibility of reporting violations to the volunteer boards. Commissioner Chilcott suggested the Airport Manager be written into the last paragraph.

Commissioner Chilcott read the portion that will be removed on page 4 which reads in part...."Power to tax, encumber, power to enlarge....power to use eminent domain, remove board members, budget, monthly reports, airport contracts..." noting the rest of Resolution No. 1244 are still within the new draft.

Joe Gratizano asked for explanation on the County Attorney opinion in removing the language 'power to enlarge'. Commissioner Stoltz stated that opinion is that the Commissioners should have that right; and the current resolution ties the Commissioners hands. Commissioner Chilcott stated those powers did not fit under this resolution but should be under a separate resolution.

Dennis Moore stated Commissioner Chilcott is correct; the 2001 Resolution was a gentlemen's agreement not to move forward on the petition. Dennis stated he visited with Lowell Johnson of

the FAA who stated the length can be put on the ALP. He stated ICAARE has kept their agreement and we rescinded our comments on 2A. He asked by changing the Resolution is that the honorable thing to do with the community. Three new commissioners have run on people's rights to vote, which is the individual property rights, and now you are proposing to take away those rights. Instead of doing away with the right to vote, the Commissioners could clarify the wording on the resolution.

Commissioner Foss stated economics in this valley was her campaign platform and things change in 10 years, and this board has to adapt to the necessary changes. The airport is an important end to viable economics and 2A does not address safety nor does it address the needed growth. Citizens don't vote on widening Highway 93 so we can agree to disagree on this issue. ICAARE is one piece of community representation, but there are other parts to the community that she is representing.

Commissioner Stoltz stated we will not have any heavier jets coming into this airport if the runway is 5,200'.

Don Maybrey participated in this earlier process. They went through many public hearings concerning the airport. A plan was developed and we were given alternatives, a ballot initiative was put in the paper and we voted. The Board indicated there was never a vote.

Dennis stated it was a straw poll in 1998 by Carter Burgess Engineers. Don wants those choices to be honored, and he will accept that it was around 1998.

Marie Carpetti stated Commissioner Foss said in the last meeting 'we keep the current runway and it does not allow larger jets to come in'.

Commissioner Chilcott made a point of order. He stated we should be talking about the resolution before us.

Dave Hardy stated Commissioner Stoltz had said that people agreed to the agreement (Resolution No. 1244) and the Commissioners are represented in that document. The document stated the public has the right to vote. The public is the other party.

Doug McLaren asked if the public has a right to vote on the extension of the runway. The most current public input was last November in the general election and that should reflect the most current position of the people. To go to a public vote again is shirking the Commission's responsibility and it is delaying the decision once again.

Joe Gratziano stated the County Attorney stated the Commissioners have the right to change the resolution (the agreement) so unless there is some compelling reason not to change this, get on with it.

Leland Blatter said there should be some clear direction to the airport board for their accountability, and this Resolution does that.

Chuck Roubik suggested they change the wording in the first sentence. This resolution replaces certain aspects of Resolution No. 1244 which pertain to the operation of the airport.

Phyllis Bookbinder stated 6,500 signatures were obtained for the petition, and it was a lot of work. The airport impacts our quality of life in the valley. The Commissioners promised us the right to vote on any runway extension. If the Commissioners take the right to vote away you are going against what they agreed to when the petition was presented. She stated the Commissioners would be reneging on the deal that was promised. She asked how the citizens would ever trust the Commissioners again. She stated the FAA indicated Alternative 2A is fine and they will fund it. When the Commissioners say the airport is not safe, they are creating a bigger problem.

George Marshall stated what is at hand is who's responsibility it is to make these types of decisions. What form of government do we have? If we voted on everything we would have anarchy. That is why we have elected officials. This is an issue of safety....we don't vote on road realignment etc. He felt it is important to have considerate deliberation by those elected officials. He feels the changes are fine.

Tom Devine stated Resolution No. 1244 is the democratic means to have input, it is part of an agreement by the Commissioners to allow public the right to vote. This meeting is short notice to the public and you cannot reasonably justify that.

George Carpatti stated the Commissioners passed the original resolution and the Commissioners can rescind the original resolution. If the citizens want to vote on this issue a public petition drive can occur. Let's move forward and handle the safety issues.

Scott Wyle stated this amendment allows the citizens to bring their problems (operational issues) to the board. He would challenge ICARRE to bring their issues to the board and address them monthly if necessary. These legal changes cost money.

Dennis stated we do not have a balanced airport board, they are all pilots.

Greg Raymond has no problems with this draft resolution. It is the Commissioners job to make decisions, but the agreement with the citizens to allow the vote is stall hanging out there. He felt there are two issues, while the draft is ok; they are still removing something that is not ok to remove.

Marie Carpatti stated this draft is great; the previous Resolution No. 1244 was made with people who had special interests. She was one who believed the scare tactics about bigger jets coming in, but now she understands Alternative #3 will not bring in larger jets. She lives right under the airport.

Chuck Roubik stated by dumping Resolution No. 1244 (right to vote) you also dump the covenant with the people. He felt there will be a lot more time and money spent if they try and change Alternative 2A. If safety is one of their main reasons to extend the runway, then think

about the increased jet traffic, increased use of jet fuel and air traffic between the two mountain ranges. Those changes impact the safety of the people.

Commissioner Foss stated she takes all this information in. Alternative 2A is not a quick fix it, Alternative 3 makes it safer.

Wendy Rainhouse supports the draft but she asks who is responsible for safety violations of the planes. It was commented the Commissioners are.

Phyllis Bookbinder asked that the public's right to vote be put in a separate document.

George Marshall stated the citizens are making their comment right now. Also he is on the airport board and he lives just south of the airport so he understands these issues.

Betsy Kratofil provided an email to the commissioners last night (that will be included in public comment).

Commissioner Chilcott addressed the petition process. He stated one person just noted if the citizens want to present a petition they can. However, they already have. When that petition was presented, the Commissioners, in lieu of putting the issue on the ballot, made an agreement with the people and thus Resolution No. 1244 was created. He felt the Commissioners have a moral obligation to live up to that agreement. Obtaining 6,500 or 7,000 citizen signatures is no small feat. He believes in public's right to vote and it would be hypocritical of him to do otherwise. He stated some people in this room wanted the right to vote on zoning, now they are saying the Commissioners can make the decision on the runway.

Commissioner Stoltz made a motion to replace Resolution No. 1244 and No. 2192 with Resolution No. 2676 as amended here today. Commissioner Foss seconded the motion. Discussion: Commissioner Chilcott wants to calendar a discussion on the right to vote. After review of the calendar this discussion and possible decision was placed on the calendar for May 26 at 1:30 p.m. All voted "aye".

United States Department of Agriculture | Forest Service | Bitterroot National Forest Aviation Management | 1801 North First Hamilton, MT 59840 (406) 363-7100

To: Ravalli County Commissioners

Re: Airport construction potential impacts to Forest Service operations.

Commissioners,

The Bitterroot National Forest conducts many fire suppression and project aviation missions from the Ravalli County Airport (reference attached letter previously submitted 1/28/09). As referenced, these operations occur primarily in the summer months for fire management operations. Any actions which would limit such operations from the airport are of concern to the forest. Any closure of the airport during the months of July through October would have a serious effect on Forest Service aviation activities. With prior planning, some of these operations could be temporarily moved to an alternate location (e.g. aerial detection flights). Some, however, would simply not be based from the forest (e.g. SEAT retardant operations). Additional general concerns regarding a loss of capability to operate from the Ravalli County Airport are referenced in the letter.

The primary concern of the Bitterroot National Forest regarding the Ravalli County Airport is to have the capability to conduct safe, efficient aviation operations in support of forest and fire management activities. Any reduction/loss in Ravalli County airport capability—particularly during the summer months—would similarly reduce the capability and/or efficiency of Forest Service aviation operations on and adjacent to the forest.

Thank you for the opportunity to share this information regarding Forest Service operations at the Ravalli County airport.

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Ravalli County Commissioners

(attachment: ForestServiceOps-at-RavalliCo)

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Forest Service Operations at the Ravalli County Airport

The Ravalli County Airport is vitally important to aviation operations on the Bitterroot National Forest. This is evidenced by the historic record of varied Forest Service aircraft activities at the airport. Helicopters, airplanes, and Single Engine AirTankers (SEATs)—served by the airstrip and the infrastructure it provides—have flown thousands of flight hours of time-critical missions in an ever-increasing trend for the Bitterroot National Forest, adjacent forests, and cooperators at the state and county level. The logistical benefits such a support structure as the airport provides—such as timely and convenient fuel, maintenance, communications and parking for all aircraft operations—are substantial. The close proximity of the support services provided by the city of Hamilton is an added benefit. The coordination benefits of having all Forest Service aviation operations centralized in one location are even more exceptional. The combination of logistical support from the airport and adjacent city of Hamilton with the coordination/communication capability provided by operating from a central location with the required infrastructure creates efficiencies in safety and operations which are critical to the continued success of aviation activities on the Bitterroot National Forest.

The Ravalli County Airport has been the hub of Forest Service aviation operations since the inception of the aviation program for helicopter and airplane services on the Bitterroot National Forest. Use has ranged from one or two each of fixed-wing and rotor-wing aircraft (for fire detection, initial attack, and forest management) to more than seven of each aircraft type simultaneously based on and around the airstrip. SEATs have flown fire retardant from the 4200' airstrip at approximately 85% capacity—which has been more efficient than any other option available. The Ravalli County Airport not only supports the needs of the Bitterroot National Forest but also of the Nez Perce, Clearwater, Lolo, and Beaverhead/Deer Lodge Forests because incidents on the boundaries of those units can be supported more efficiently from Hamilton's central location. Additionally, aircraft activated for Forest Service use also support fire suppression efforts on state and private lands. While the primary mission of all aircraft operations is the protection and management of public lands, the Forest Service has cooperative agreements to protect sections of state land, and the rural fire departments in the Bitterroot valley have called for support from Forest Service aircraft based at the airport to assist in suppression actions on private lands during extreme fire conditions or in areas of difficult access. In coordination with Ravalli County, the forest has requested and sponsored the activation of an FAA temporary air traffic control tower at the airport to improve the general safety of federal and private flight activities during times of complex air operations and low visibility. There is a long and distinguished history of cooperation and coordination between the Forest Service, Ravalli County, and general aviation operations at the Ravalli County Airport.

Logistically, Forest Service air operations require paved surfaces, Jet-A and Av-Gas fuels, communications (radio, phone, fax, data-line), maintenance areas, parking space, operating and rest areas. The Ravalli County Airport has or has facilitated all of these requirements. No other location in the Bitterroot valley has the infrastructure to support these operations. Forest Service aviation operations at the Ravalli County Airport can occasionally involve fifteen or more aircraft with associated crews and management totaling over sixty personnel. The safety and efficiency of operations require support services for these personnel to be in close proximity. The city of Hamilton—with its range of motels, restaurants, and services—ideally meets the needs of the assigned personnel. Additionally, the

hardware, grocery stores and vehicle rental and maintenance facilities are sufficient to support and maintain a large operation. Hamilton is a regular stopping point for transiting Forest Service contracted aircraft and a "first choice" for airbase operations due to its support capability from the airport and nearby city services.

Forest Service aerial operations—helicopter, fixed-wing air tactical, aerial detection, and fire retardant SEATs—are designed to operate independently of each other. This allows for them to be utilized as needed and to their greatest flexibility. When all are activated in a complex aerial operation on the forest, however, the benefits of collocation of these resources become quite clear. An environment of much greater safety and operational awareness is created when pilots, crews, and management can freely and continuously exchange information at a common location before and between missions. The same information can be shared with all personnel quickly and efficiently, questions can be answered immediately, problems and hazards can be daylighted and solutions found cooperatively between all associated resources. The enhancement in command, control and communications causes a dramatic increase in safety and efficiency in operations and is a model for other aerial coordination efforts. This is the current structure of Forest Service air operations at the Ravalli County Airport. Helicopter, air tactical, fire detection, and SEAT personnel are collocated on one end of the airport—along with the dispatching center—which allows the greatest capability for briefing and sharing information between aircrews and management personnel. The opportunity to brief and coordinate with General Aviation at the airport about complex aviation operations on the forest is also critical. The aerial operations on the forest are currently at their highest efficiency level since program inception.

The many benefits to Forest Service aviation operations provided by the Ravalli County airport are quite clear. The support and cooperation between the two have provided benefits for the past two decades, with an increase in capability for either yielding benefits for both. The infrastructure and central location of the Ravalli County airport have made it and continue to make it ideal and a key support structure for the Bitterroot forest, surrounding forests, and cooperative interests. The services available in Hamilton are also key to supporting the many personnel required to maintain the complex aviation operations that occur at the airport. Finally, the advantages recently realized of having all Forest Service aviation and dispatching operations collocated can not be overstated. The enhancements to safety and efficiency to both federal and general aviation activities in the area are due to the support, coordination, and cooperation made possible by the infrastructure and facilities at the Ravalli County Airport.

(Attachment): Chart 1: Historic aircraft flight information on Bitterroot National Forest (BRF)

Chart 2: Airport use for BRF operations only; number of aircraft used

Chart 3: Airport use for BRF operations only; number of days of use

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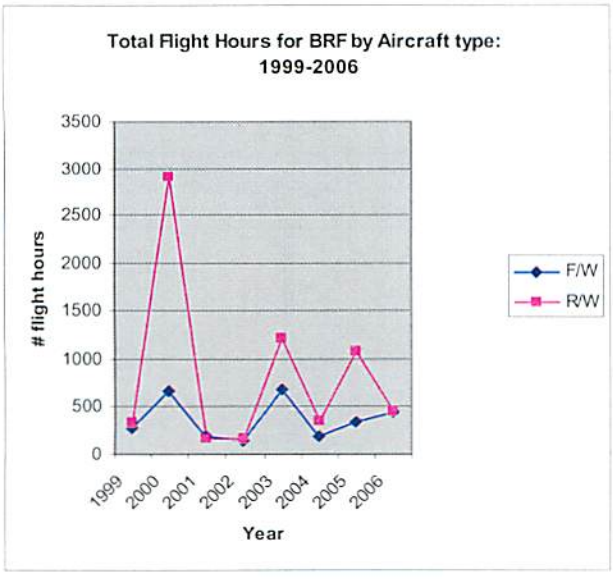

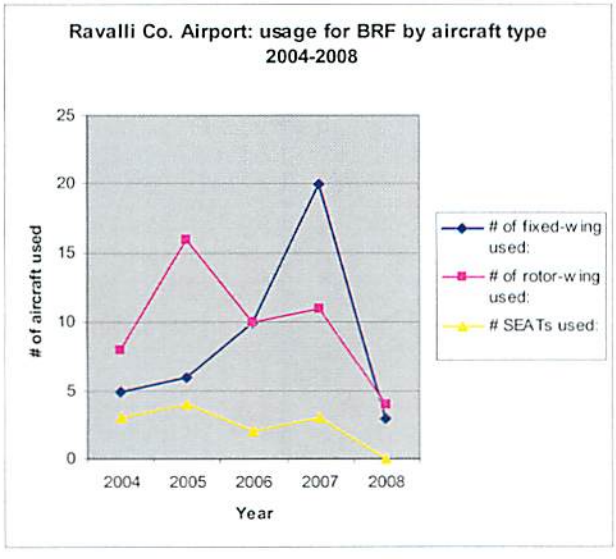

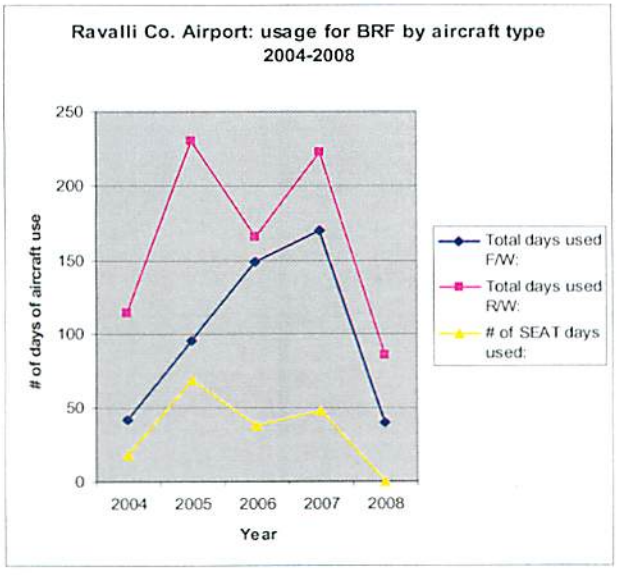

SIGN IN SHEET – COMMISSIONERS MEETING ROOM

****PLEASE PRINT YOUR NAME LEGIBLY****

THANK YOU!

DATE: 4/29/11

MEETING: _____

	4/29/11
	4/29/11
RCSO	4/29/11
RCSO	04-29-11
P.P.D	04-25-11
CHARLES E. WISSENBACH	
Dave Demmons	4-29
KAREN HELLER	4-29-11