COMMISSIONERS APPROVAL

IMAN

CHILCOTT

FOSS

STOLTZ

KANENWISHER

Members Present.....Commissioner J.R. Iman, Commissioner Greg Chilcott, Commissioner Ron Stoltz and Commissioner Matt Kanenwisher

Date.....November 9, 2011

Minutes: Glenda Wiles

►The Board met at 8:35 a.m. with Drug Free Communities (DFC) Grant Director Charmell Owens and DFC Youth Empowerment Coordinator Brandon Dewey to review and make a decision on leaving the submittal of the Enforcing Underage Drinking Grant (EUDL) application with the Montana Board of Crime Control. This meeting is the result of a Monday morning meeting for ministerial issues. Charmell gave a report on this grant submittal noting this grant submittal is in the amount of $49,973.11 with a 5% administration fee to the county; the scope of work for enforcing underage drinking and the relationship between the Drug Free Community Grant, Ravalli County Prevention Coalition, Ravalli County DUI Task Force and local law enforcement agencies. **Commissioner Chilcott made a motion to approve this application for the EUDL Grant. Commissioner Kanenwisher seconded the motion. Commissioners Iman, Chilcott and Kanenwisher voted "aye". Commissioner Stoltz abstained from this vote. (3-0)**

►The Board met at 9:00 a.m. for a review of subdivision applications for the following: Race/Dundas and Roeper/Herndon for Boundary Line Relocations. Present was Clerk & Recorder Regina Plettenberg and Clerk & Recorder Staff Linda Beisel. Regina indicated her staff helps Planning review the subdivision exemption applications. In regard to these two boundary line relocations, Planning Administrator Terry Nelson's business is involved in these applications so Regina felt it is important to bring these two applications to the Commissioners for decision. The Board reviewed these two applications addressing any environmental concerns, parcel access and locations of proposed boundaries.

**Commissioner Chilcott made a motion to approve the Race/ Dundas boundary line relocation as proposed and direct planning department to draft a letter for their signature. Commissioner Kanenwisher seconded the motion noting the finding of facts are that both parcels have physical access, there are no environmental health issues for drain field placement, given the size of the parcels, there is no significant impact to public services,**

**and there are no new buildable lots. All voted "aye" 4-0.** (Legal Hamilton Heights Block 15, lots 15 & 16)

**Commissioner Chilcott made a motion to approve Roper/Herndon Boundary Line relocation with the same findings of fact as the Race/Dundas Boundary line relocation, and to direct planning to develop a letter for the Commission signature. Commissioner Kanenwisher seconded the motion and all voted "aye". (4-0)** (Legal Section 33- T8N, R21W COS 1756 Tracts E & F)

►The Board met at 9:30 a.m. with John Cornish of the Florence Park District regarding a recent litigation settlement for the Highway 93 Trail in Florence. Also present at this meeting were Deputy County Attorneys Dan Browder and Howard Recht, Park Board Members Bill Delaney, Gary Lease, John Ormiston, Bitterroot Star Publisher Michael Howell and an unknown Citizen.

John Cornish stated the insurance company for the Florence Park District and the Bum Steer Restaurant Insurance Company settled for $47,500.00 each on a claim by a bicyclist who fell on the path. John presented pictures of the trail which shows a clear path but ice and rock on the trail that came from the Bum Steer Parking lot. He stated the Park District plows north to Lolo and south to Bass Creek. John also indicated the insurance premiums look like they will now increase several hundred dollars per year due to this settlement. John addressed the path maintenance agreement between the county and the state in that it reads the "county agrees to maintain pathway free of snow". His concern is when did this maintenance become the Florence Park District's responsibility to plow? Discussion included the $28,000 the county received from Montana Department of Transportation (MDT) and how the Park District became involved in snow removal and the question if the Florence Park District does not plow the path, who would do it?

Dan Browder stated the Commission signed the agreements with MDT; the Florence Park District did not. A previous memo from the County Attorney's Office reads that if the path runs through an established Park District then it is the Park District's responsibility. Commissioner Kanenwisher noted if the Park District says they won't do it, then it is still the responsibly of the county.

John Ormiston stated Florence Park District received $6,000 from the $28,000 ($1,000 per mile) which was a onetime amount for the maintenance.

John Cornish stated the community likes the path so they will continue to help out. The Park District's Attorney wanted to clean up any agreements on this issue. Dan Browder indicated MDT has indicated they are agreeable to more negotiation on the agreements for maintenance but he doubts they will take on more responsibility.

**The Board concurred they will work with the County Attorney's Office and look at consolidating and changing some language within the agreements with MDT and the Commissioners will work with each park district in regard to this issue.**

►Commissioner Kanenwisher attended a Park Board meeting during the morning hours.

►Commissioner Kanenwisher attended a Board of Health meeting during the afternoon hours.