

Missoula Conservation District
August 8, 2022 at 7:00 p.m.
3550 Mullan Rd, Ste 106, Missoula, MT 59808 – with virtual option

Missoula Conservation District Attendees: Tim Hall (Chair); Libby Maclay (Vice-Chair); Travis Greenwalt (Treasurer); Art Pencek (Supervisor); Bob Schroeder (Supervisor); Radley Watkins (Staff); Bryan Vogt (Staff)

Additional Attendees: John Hart (Senior Deputy County Attorney); Ladd Knotek (MT FWP); Jamie Jonkel (MT FWP); Ryen Neudecker (Big Blackfoot Ch. of Trout Unlimited); Eric Siegfried* (MS-30-22 thru MS-32-22); Sady Babcock* (CM-07-22); Nels Larson* (Public)

*Denotes virtual participation via Zoom

Absent: Paul Parson (Supervisor); Sidney Wills (Supervisor); Bart Morris (Associate Supervisor); Josh Schroeder (Associate Supervisor); Travis Lemke (NRCS Supervisory District Conservationist)

Call Public Hearing to Order – 7:01 pm by Tim Hall

Public Hearing on Permissive Mill Levy – Hall stated that the hearing was open to receive public comment on the District’s Permissive Medical Levy for Fiscal Year 2023. Watkins stated that the base year was 2021, and the calculated 2023 Permissive Levy for Group Benefits was 0.05 mills equating to \$8,400.00.

No public comment was offered, and no public comments had been received at the District office.

Adjourn Public Hearing – 7:06 pm by general consensus

Call Meeting to Order – 7:06 pm by Tim Hall

Minutes – Libby Maclay moved to approve the July 11, 2022 Minutes as presented. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

Treasurer’s Report – Travis Greenwalt presented the following account balances from the District’s QuickBooks Balance Sheet dated August 5, 2022 included in the Supervisors’ meeting packets. Also included was the year-to-date Profit and Loss report dated August 5, 2022.

First Security Bank – Checking	\$15,634.54
First Security Bank – Petty Checking	\$2,107.07
First Security Bank – Savings	\$50,428.67
DADCO Savings	\$204,158.73
Tax Mill Levy Account at County	\$412,504.52
Total Bank Accounts	\$684,833.53

Public Comment – None

Missoula Bear Smart – Jamie Jonkel introduced himself as a Bear Biologist with the Montana Department of Fish, Wildlife, & Parks and provided a brief update on recent bear activities in Missoula County,

particularly those close to the City of Missoula. Jonkel stated that while efforts to minimize bear conflicts and keep them out of the urban wildland interface have been ongoing, but despite ongoing outreach and education, bear-human conflicts have increased. He described recent work on Bear Smart efforts focused on enforcing the requirements for responsible trash management and advocating the use of bear resistant trash cans. This work would include expanding the “bear buffer zones” to remove the incentives for bears to frequent human populated areas. Jonkel added that the Missoula Bear Smart Work Group, on which Watkins represents the Conservation District, has been receiving support and direction from County and City officials who are very concerned about this issue. Watkins stated that City, County, and Health Department officials have all received a presentation from Jonkel on these efforts, and he wanted to make sure the Missoula CD Board had been extended the same opportunity. Jonkel stated that the CD may be a good vessel to host community-wide Bear Smart efforts in the future. He also offered to provide a more detailed presentation on local bear activities sometime this coming winter.

Request for Legacy Grant Consideration – Ryen Neudecker introduced herself as the Restoration Coordinator with the Big Blackfoot Chapter of Trout Unlimited (TU) and gave a brief presentation on the Johnson Creek Fish Screen & Water Conservation Project. This project will include installation of a fish screen, headgate, and valve at the existing unregulated point of diversion on Johnson Creek, along with piping approximately 1,600 feet of the irrigation ditch for the purposes of eliminating fish entrainment, conserving water, and improving fish passage. The project was brought to TU’s attention by the landowner irrigator and will benefit pure westslope cutthroat trout and bull trout, as well as rainbow trout and brown trout. Neudecker reported that \$31,000 had been secured from various partners, but due to the unexpected increase in material costs they are now seeking the additional \$7,000 from an MCD Legacy Grant. The Board agreed that the project would benefit the public resource and directed staff to send Neudecker a full Legacy Grant proposal application to fill out for review by the Grants Committee.

NRCS Report – Travis Lemke, Supervisory District Conservationist, was not in attendance. Watkins stated that Lemke, he, and NRCS’s Sabrina Schuler have met with several landowner groups on Miller Creek and that the Partnership with the Conservation District and NRCS Field Office was making progress on the initial stages of the Miller Creek TIP.

Existing 310 Permits

MS-07-18 – Threshold Contracting – Rattlesnake Creek – Vegetation Removal, Tree Removal, Building in Riparian Zone

Geocode: 04-2200-11-2-05-08-0000

Watkins reported there were no new updates regarding this item.

310 Permit Applications

MS-33-21 (Tabled 09/13/21, Re: CM-02-21) – Todd & Lisa Bender – Cooney Creek – Channel/Bank Restoration

Geocode: 04-2992-06-2-01-15-0000

Watkins reported on the lack of responsiveness from the applicants once they moved out of state, along with the landowner’s statement that they would not allow the applicants back on their property to conduct the work. The Board requested John Hart contact the applicants on this matter. Hart requested staff send him all the information regarding Violation No. CM-02-21 and Permit No. MS-33-21.

MS-43-21 (Re: CM-05-21) – Robert Shaffer obo Double Arrow Ranch – Drew Creek – Restoration
Geocode: 04-2541-07-2-02-07-0000

Watkins reported on conversations he had with Shaffer regarding the need for more specific plans for the Board to review. The Board reiterated their desire to see the road re-sloped away from the creek.

MS-29-22 – The Nature Conservancy c/o Steve Kloetzel – Wildhorse Creek – Large Wood Placement & Beaver Dam Analogues
Geocode: 04-2329-06-1-01-01-0000

Watkins reported on a new application for the placement of large woody debris and construction of beaver dam analogues in Wildhorse Creek on property owned by The Nature Conservancy that will eventually be transferred to the Bureau of Land Management (BLM). Watkins presented project location slides and photos from a site inspection occurring this morning that he attended with Patrick Uthe and Steve Kloetzel, along with staff from the NRCS Field Office and Missoula County Weed District. No Supervisor was able to attend. The site inspection yielded discovery of a dry side channel and discussion over whether the planned structures may result in a majority of flows being captured by this side channel. Given this discovery, the applicant had requested an additional month to provide more detailed plans. The Board requested the plans also include specific locations of the planned structures rather than just general reference to a number of planned structures within a given reach. No action was taken on the application.

MS-30-22 – Eric Siegfried – Maple Creek – Culvert Crossing - Lower
Geocode: 04-1975-28-1-01-08-0000

Watkins reported on an application to install a new culvert crossing on Maple Creek associated with a new road that would provide the landowner access for resource management and recreation. Watkins displayed project location slides and photos from the site inspection occurring on August 2, 2022 with Ladd Knotek, Bob Schroeder, Eric Siegfried, and Watkins attending. This culvert is one of two crossings on Maple Creek needed for the planned road with the second (upper) crossing included in Application No. MS-31-22. Both sites are relatively steep and call for installation of the road and associated crossing to USFS specifications. Watkins presented the general diagram included in the application showing a 36-inch diameter, round, corrugated HPDE culvert. Siegfried stated that the planned culvert is 36-feet long to accommodate a 20-foot-wide road surface. The Board recommended using a 40-foot or longer culvert to better accommodate the amount of fill that would be required given the slope and site conditions. Knotek stated that FWP has no record of fish being present in Maple Creek so he would not require the culvert to be countersunk for fish passage, however, this crossing and the one included in Application No. MS-31-22 are some of the most challenging stream crossing sites he's seen in the recent past. If fish would have been present, he would have recommended bridges instead of culverts. Both B. Schroeder and Knotek read their team member reports recommending approval with modifications focusing on installing the culvert following best management practices to minimize impacts to the creek.

Bob Schroeder moved to consider Application No. MS-30-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports and Board discussion, and to waive the 15-day waiting period after the Board's decision. Travis Greenwalt

seconded the motion. Art Pencek stated that he felt the application lacked appropriate detail to make a decision on the proposed project and that site specific measurements and design plan drawings are needed for review. Vote was 4 in favor, none opposed; Art Pencek abstained – motion carried.

- Follow road crossing best management practices (BMPs) and recommendations for installation of a culvert, making particularly certain that road building should not drift fill in the creek.
- Approach to the culvert on both sides should be sloped away from the creek with installed drainage features to minimize direct road runoff into stream.
- The culvert used should be no less than 40 feet long and must be appropriately sized that the slopes of the road do not cover the ends of the culvert.

MS-31-22 – Eric Siegfried – Maple Creek – Culvert Crossing - Upper

Geocode: 04-1975-28-1-01-08-0000

Watkins reported that this is the upper culvert crossing on Maple Creek for the new road discussed above under Application MS-30-22. Watkins displayed project location slides and photos from the site inspection occurring on August 2, 2022 with Ladd Knotek, Bob Schroeder, Eric Siegfried, and Watkins attending. This application also included a general diagram showing a planned 36-inch diameter, round, corrugated HPDE culvert but no other site-specific measurements or designs. This site is even steeper and has more site-specific constraints than the location associated with lower culvert. B. Schroeder and Knotek read their team member reports recommending approval with modifications that mirrored those for MS-30-22.

Bob Schroeder moved to consider Application No. MS-31-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports and Board discussion, and to waive the 15-day waiting period after the Board's decision. Travis Greenwalt seconded the motion. Vote was 3 in favor, 1 opposed (Libby Maclay); Art Pencek abstained – motion carried.

- Follow road crossing best management practices (BMPs) and recommendations for installation of a culvert, making particularly certain that road building should not drift fill in the creek.
- Approach to the culvert on both sides should be sloped away from the creek with installed drainage features to minimize direct road runoff into stream.
- The culvert used should be no less than 40 feet long and must be appropriately sized that the slopes of the road do not cover the ends of the culvert.

MS-32-22 – Eric Siegfried – Carlton Creek – Bridge Construction

Geocode: 04-1975-33-1-01-02-0000

Watkins reported on an application to install a new bridge across Carlton Creek for a planned hiking and bike trail on the owner's property. Watkins presented project location slides and photos from the site inspection occurring on August 2, 2022 with Ladd Knotek, Bob Schroeder, Eric Siegfried, and Watkins attending. He also displayed site measurements and bridge specifications included with the application, along with photos of a similar bridge construction for reference. Knotek and B. Schroeder read their respective team member report that recommended approval with modifications.

Travis Greenwalt moved to consider Application No. MS-32-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

- Approach to the bridge on both sides should be sloped away from the creek to minimize direct trail runoff into stream.
- The bridge location shall be at the location of two large boulders identified at the site inspection, with footers that raise the bridge 18 inches.
- No instream work or disturbance to the riparian area or banks shall occur.

MS-33-22 – Malcolm Miller (Treasure State Tree Service) obo Brookside Condo Assn – Rattlesnake Creek – Tree Removal

Geocode: 04-2200-11-3-09-01-0000

Watkins reported this application was received following the site inspection deadline and will be reviewed once a site inspection has been conducted prior to next month's meeting. No action was taken.

310 Complaints

CM-07-22 – Northwestern Energy – Miller Creek – Hardened Crossing/Ford

Geocode: 04-2092-13-1-01-03-0000

Watkins reported on a complaint received for installation of a hardened stream crossing/ford across Miller Creek on property owned by Northwestern Energy and leased to Five Valley's Archery Club. Watkins presented location slides and photos from a site visit he conducted on August 5, 2022 with Sady Babcock and Joe Wulf of NW Energy, and Watkins attending. During the site visit, three foot bridges crossing on Miller Creek were observed on the same parcel. Babcock stated that none of the observed crossings were installed by NW Energy. The Board discussed whether it could take jurisdiction based on the fact that the photos showed no water in the stream at the time of the site inspection. Watkins reported that the initial complaint photo did show water flowing at this location and that the stream does have connectivity with the Bitterroot River each year. The stream was observed flowing more than a mile downstream earlier this year, and CD guidance documents indicate the Board has taken drainage-wide jurisdiction in Miller Creek. The Board discussed that there is a great deal of planned work to help restore year-round flows to this stream. Babcock stated that NW Energy is willing to work to come into compliance on the observed crossings and requested that if any violation is issued that it be to NW Energy and not Five Valley's Archery Club, the lessee.

Tim Hall moved to allow staff to work with the landowner and lessee to bring all of the existing crossings into compliance with the 310 Law. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

Existing Violations

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CM-02-21 (Re: MS-33-21, Tabled 9/13/21) – Deborah & Andrew Carstensen– Cooney Creek – Channel/Bank Restoration
Geocode: 04-2992-06-2-01-15-0000

See MS-33-21 above for additional details.

CM-05-21 (Re: MS-43-21) – Double Arrow Ranch Landowners Association c/o Greg Neudecker – Drew Creek – Fill Stream
Geocode: 04-2541-07-2-02-07-0000

See MS-43-21 above for additional details.

CM-03-22 (Re: MS-22-22) – Justin Turley – Lolo Creek – Vegetation Removal
Geocode: 04-2092-35-3-02-05-0000

Watkins stated there were no updates to provide. This item will remain on the agenda until the applicant provides evidence that work to resolve the violation has been completed under Permit No. MS-22-22.

310 Inquiries & Issues

Watkins reported on an Emergency Notice emailed him just this afternoon that involved placement of sandbags in LaValle Creek in the location that two concrete headgates were removed under Permit No. MS-22-21. Watkins read the verbiage of the Emergency Notice stating that the sandbags were necessary for Garry Glenn to maintain adequate pumping levels to serve his water right, that the concrete headgates removed under MS-22-21 were associated with Mr. Glenn's water right.

Art Pencek moved to approve actions taken under the Emergency Notification as presented. Bob Schroeder seconded the motion. Watkins presented the 310 Emergency Process flowchart that clarified procedures for the proper handling of a notice of emergency action. A team inspection needs to be conducted so that a recommendation can be brought to the Board before they make a decision within 60 days of receiving the notice. Art Pencek and Bob Schroeder respectively withdrew their first and second of the motion.

Art Pencek moved to consider the actions taken under the newly received Notice of Emergency action a project for review under the 310 Law and to process the emergency notice accordingly. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Watkins reported being contacted by an attorney representing the new owners of a parcel previously owned by Steve McAfee along the Clark Fork River. The new owners purchased the property site unseen and are now questioning why some of the previously permitted actions weren't taken and still can't be implemented. The attorney has requested copies of all 310 files associated with this property. Watkins has determined that there are multiple files that would require a substantial amount of staff time to duplicate. Policy restricts use of office copiers to USDA and District employees even though the attorney offered to assist copying the files. The Board discussed that District staff may take these files to a professional copying business. Otherwise, District files are not to leave the office unattended.

Reports

County Attorney Report – John Hart stated that based on recent court rulings, he would not hesitate to support the Board taking jurisdiction on lower Miller Creek, or any other creek that may not run continuously for part of the year, as was discussed under Complaint No. CM-07-22.

Montana FWP – Ladd Knotek reported that a new parking area is being added at the Sha-Ron Fishing Access (FA) site in East Missoula that includes a trail along the highway right-of-way around two private properties. Knotek stated that both of these properties had mowed vegetation down to the water's edge setting a bad example of riparian management and compliance with the 310 Law. Multiple logistical issues regarding effects the new parking area and trail will have on these landowners make pursuing a 310 Complaint against them difficult. The Board discussed the potential need to consider certain areas of the Clark Fork River as “sacrifice areas” where 310 Violations due to unpermitted actions of recreationalist cannot be strictly enforced against the landowner. The Board also supported Watkins approaching landowners from an outreach and education stance without the need to start an official 310 Complaint.

DNRC Conservation District Bureau – A copy of Hailey Graf's August 2022 written report was provided in the Supervisors' meeting packets. Vogt reported he participated in recent virtual meetings on the CDB's new grant process. Bob Schroeder reported that the former Resource Conservation Advisory Council (RCAC) sunsetted July 1, and the governor established the Conservation District Advisory Council (CDAC) in its place to which he and several other prior RCAC members were appointed. The new CDAC has not met yet, but he has heard that it may function somewhat different than the RCAC.

Bitter Root RC&D – Libby Maclay stated she had nothing new to report.

Weed District/Extension – No representative was in attendance and no report had been provided. Watkins reported he had been in recent conversations regarding furniture purchase options for the new office.

Watershed Groups – No representatives were in attendance and no reports had been provided.

Planning Board Update – Josh Schroeder was not in attendance. John Hart reported there is a new subdivision proposal for a site off of South 3rd Street and Clements Road with a portion that sets within the mapped floodplain and also the Erosion Hazard Area of the Channel Migration Zone. This proposal didn't go before the Planning Board as it includes less than 6 lots. The CAPS staff recommendation is to deny the application. It was to be heard by the Board of County Commissioners last Thursday, but the developer requested another 30 days to provide new ideas although it is unlikely there is anything that will allow the proposal to move forward.

Water Quality District – Hall reported he and Maclay participated in a float tour of the Smurfit-Stone site on July 21, 2022. Along with the Missoula Valley Water Quality District, participants included individuals from the Gallatin Water Quality District and the Lewis and Clark Co. Water Quality Protection District. Efforts are still ongoing to have the EPA list the location as a Superfund site. Maclay reported that Elena Evans had provided a useful handout of historic aerial photos of the Smurfit-Stone site.

District Committees – The Budget Committee met on July 28th. The proposed budget will be discussed under New Business. The Equipment Committee was sent email correspondence regarding out-of-county use of the no-till drill. This will also be discussed under the Equipment Program below.

Missoula CD Employees – Written reports were included in the Supervisors' packets.

Bryan Vogt - Program Specialist

Office Administration:

- Checked District's general email and QuickBooks accounts daily; received/distributed agency mail daily
- Coordinated and hosted July 11th Board meeting held via Zoom
- Submitted monthly claims to the county for payment; entered monthly claims into QuickBooks
- Posted June 13th approved meeting minutes to District website
- Drafted minutes from the July 11th Board meeting
- Reconciled First Security Bank accounts (3) and DA Davidson account in QuickBooks
- Prepared monthly claims, agenda, financial report, and upcoming events sheet for monthly meeting packet
- Sent agenda to the county for public posting. Posted agenda & approved minutes on the CD website
- Updated quarterly Supervisors' reimbursement claims as needed
- Put together monthly meeting packets for monthly Board meeting and sent Zoom link for virtual participation
- As requested, answered questions and assisted Watkins with financial management and budgeting questions
- Drafted and sent legal notice of Permissive Mill Levy public hearing to Missoulian newspaper for publication
- Managed all office and programs operations during Watkins two-week vacation

Program Assistance:

- Prepared Form 273, 310 Permit – CD's Decision, for applications considered at July 11th meeting
- Drafted 310 decision letters from actions taken at July 11th meeting and sent to Watkins for review
- Assisted with physical and electronic file management of 6 new 310 Permit applications and 1 new Complaint
- Updated 310 Master List spreadsheet and Current Permits webpage on MCD website
- Assisted public with 310 permitting questions on Ninemile Creek, Graves Creek, Mill Creek, & the CF River
- Management of HB223 High Priority Water Quality Monitoring in the Clearwater Valley project:
 - Finalized contract and equipment lease agreement between MCD and CRC
 - Continued equipment and supply purchases for CRC's water quality sampling
 - Tracked grant expenditures for reporting and funds request purposes
- Management of ECS-01-22 Healthy Watersheds: WEN's Family Citizen Science Program:
 - Developed and enacted a contract with WEN for the grant award
- Attended virtual trainings on MACD resolutions process, SAM.gov registration, & new CDB Grants programs
- Provided pollinator wildflower seed packets to local landowner

Technical Assignments:

- Continued management of the no-till drill rental program, including one rental and two reservations
- Performed minor drill and trailer maintenance
- With Mackenzie Tenan, participated in NRCS Streamside and Riparian Habitat Assessment field training
- Assisted Tenan with riparian assessment of Pattee Creek between Bancroft and Higgins Ave.

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- Provided technical assistance on weed identification and treatments, soil testing, fall dormant seeding/plantings, and local sources of native grass seed

Communication and Outreach:

- With Chairman Hall, participated in virtual Small Scale/Urban Ag. Working Group coordinated by County
- Provided overview of CD equipment rental program to Garden City Compost Facility Manager to assist in their research of developing a compost spreader rental program

**2.5 Days Vacation; 2 Hours Sick Leave*

Radley Watkins - Resource Conservationist

Office Administration:

- Coordinated the July District Board meeting.
- Followed up on actions taken at the July meeting by writing letters, packaging them, and sending them.
- Reviewed/edited/approved draft July meeting minutes.
- Approved and submitted staff timesheets to County payroll and entered payroll in Quick Books.
- Reconciled County Mill Levy account in Quick Books.
- Conducted weekly staff meetings and updated Chairman Hall.
- Drafted and finalized agenda for August 8, 2022, District meeting.

310 Law Administration:

- Reviewed and processed six (6) new 310 applications and processed one new complaint.
- Conducted site inspection on Carlton and Maple Creek with Supervisor Schroeder and FWP Biologist, Ladd Knotek (MS3022-MS3222).
- Fielded public calls regarding 310 permitting requirements.
- Worked with Attorney Natalie Hammond on Clark Fork bank issue.

Program Management:

- Attended NRCS BDA Training.
- Assessed Pattee Creek Riparian Vegetation with BSWC Member Mackenzie Tenan.
- Worked with Vogt to get WEN contract letter out.
- Worked on PL566 narrative.
- Communicated with CFC monthly Grant Creek Working Group.
- Reviewed Missoula Bear Smart Working Group Conflict Management Plan.
- Met with two groups of Miller Creek property owners to discuss Creek restoration and NRCS TIP.
- Communicated with Highlander Brewery owners to discuss progress for creekside restoration plans.
- Continued to work with Mackenzie Tenan, BSWC member, to update the MCD Stream Crossing Guide.
- Participated in Small-agriculture Land Conservation Working Group hosted by Community & Planning Services (CAPS).
- Participated in Small-agriculture meet and greet hosted by MSU Extension.
- Met with Grant Creek landowner Dale Fry to discuss progress on MCD Conservation Enhancement grant.

- Worked on FY23 Budget and met with Budget Committee.

**32 hours of Vacation*

Middle Clark Fork Corridor Project (PL 566) – Watkins reported he would continue work on the development of a project Work Plan.

Other Reports

BSWC member update – Watkins reported both he and Vogt assisted Makenzie Tenan with an assessment of Pattee Creek from Higgins Avenue down to Bancroft Street.

New Business

Correspondence and Upcoming Events – Vogt reported on Correspondence items, including a request for comments on a proposed Federal Transit Administration/Missoula Transportation District facility to be located partially on land designated “Prime Farmland if Irrigated” and “Farmland of Local Importance.” Vogt also reviewed the Upcoming Events sheet.

2022 Montana Range Tour – Vogt reviewed the agenda, registration fee, and travel costs for the tour that will be held August 30 & 31 in Great Falls. He stated his interest in attending the tour and asked if there were any Supervisors also interested in participating. Maclay stated she would like to attend the tour.

Art Pencek moved to authorize overnight travel to allow Bryan Vogt to attend the 2022 Montana Range Tour in Great Falls. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Blackfoot Biochar Pilot Project – Vogt reported on a pilot project being offered by the Blackfoot Soil Health Working Group. They are looking for landowner volunteers to implement small scale test plots on their property. An informational flyer and fact sheet were included in the Supervisors’ meeting packets, and a copy of the in-depth study was made available for anyone who wished to review it.

Site Inspections Scheduling – September’s site inspections are scheduled for Tuesday, September 6th with a backup date of Friday, September 9th. Watkins will request Supervisor participation in advance of this date.

FY 2023 Permissive Mill Levy – Watkins reviewed the Determination of Permissive Levy for Group Benefits form that was included in the Supervisors’ packet. For Fiscal Year 2023, the calculated permissive levy was 0.05 mills equating to \$8,400.00.

Tim Hall moved to approve the figures as presented on the Determination of Permissive Levy for Group Benefits for Fiscal Year 2023 and instruct the county to begin collecting the Conservation District’s permissive mill levy. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

FY 2023 Budget – Watkins reported that the Budget Committee met on July 28th to review a budget he had prepared based on the actual tax revenues the District received during the past fiscal year. Following the Budget Committee meeting, the 2022 Certified Taxable Valuation Information form was received and used to complete the Determination of Tax Revenue and Mill Levy Limitations form, more commonly referred to as the mill levy computation form. Upon completing the mill levy computation form, a significant discrepancy in the amount of calculated income for FY 2023 was noticed. Therefore, the figures included on the proposed FY 2023 Budget had to be updated from those figures reviewed by the Budget Committee. Watkins stated he has contacted the county to provide clarification regarding this discrepancy. Watkins also

reported that for auditing purposes, unspent FY 2022 Budget funds should be accounted for in the FY 2023 Budget, as well as amounts the District holds in their Savings and DA Davidson accounts. It would be appropriate to allocate these funds to specific budget categories, whether current or new, rather than these funds appearing as excess unallocated assets held by the District.

The Board discussed apparent discrepancies in specific expense and income line item figures on the final FY 2022 Budget that was used to calculate amounts needed in the FY 2023 Budget. Vogt explained this was likely due to the misallocation of the expense or income category for these line items and that this could still be corrected in QuickBooks to more accurately reflect final FY 2022 figures. Watkins stated that the overall income and expense amounts shown within the “New FY 23 Budget” column on the meeting packet materials were correct based on the recently completed FY 2023 mill levy computation form.

Art Pencek moved to approve the total expenses and total income amounts within the FY 2023 Budget as presented and to direct staff to correct discrepancies within the individual chart of account line items as discussed during the August 8, 2022 Missoula Conservation District Board meeting. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

2023 Big Sky Watershed Corps Member – Watkins reported on the intent to submit an application for the District to serve as host site for a 2023 Big Sky Watershed Corps (BSWC) member. The application deadline is September 2, 2022, and selected host sites are obligated to provide \$12,250.00 in cash funding. This amount would come from carryover or unspent amounts in the FY 2022 Budget. Watkins proposed having a BSWC member work on a 310 Law campaign project during their term of service.

Travis Greenwalt moved to have staff prepare and submit a 2023 Big Sky Watershed Corps host site application using FY 2022 carryover funds for the District’s financial obligation. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

MACD Resolutions – Watkins reported that MACD recently updated the process for submitting a resolution with the intent of making it more straightforward for districts. The 2022 deadline is August 15th unless a district requests additional time. Watkins stated that it may be worth the Board developing a resolution in future years such as advocating that the 310 Law be added to realtor license testing.

Programs

Grants Program:

MCD Grants

Montana Natural Resources Youth Camp donation request – Vogt reported that another request was received to provide a donation to the camp. This would be a general support donation as the 2022 Camp was already held July 10-15. Missoula County Envirothon coaches were notified that the District would support local youth interested in attending, but none contacted the CD. The Board stated they would continue to support individual youth wishing to attend the camp. No action was taken on the general donation request.

Sponsored Grants – Vogt reported he continues to work on management of current sponsored grants.

Equipment Program – Vogt reported that there were two no-till drill rentals since the beginning of August. To-date, there have been 23 separate rentals for 37 rental days to seed approximately 192 acres in 2022 with

the fall season still to some. In 2021, there were 18 separate rentals for 30-rental days to seed approximately 235 acres for the entire year. Vogt reported he was contacted by the Facility Manager with Garden City Compost inquiring about the District's equipment rental policies as Garden City Compost researches the possibility of starting their own equipment rental program for a compost spreader. Bitterroot CD has also requested that staff participate in one of their two September meetings to discuss Missoula CD's no-till drill rental program. Vogt also notified the Equipment Committee about a Kalispell landowner's recent request to rent the no-till drill as there are none available for rent or hire in Flathead County. The Committee's policy has been to limit equipment rentals to immediately adjacent counties. The perspective renter is agreeable to paying full rental fees to haul the drill back and forth to Kalispell. Following brief discussion, the Board stated their agreement of allowing staff the discretion of allowing the drill to be rented in non-adjacent counties following all other equipment rental policies.

Pollinator Program – Vogt reported that a local landowner recently came to the office to obtain 500 ft² worth of wildflower seed mix after being referred by the Missoula County Extension office. An additional request to obtain wildflower seed mix for pollinators was also received today.

Wildlife Damage & Habitat Conservation Program – Watkins reported on his ongoing participation with the Missoula Bear Smart efforts that were detailed by Jamie Jonkel. In response to an expressed concern, he also clarified the group's goal is to use means such as community-wide use of bear resistant trash cans in legally defined Bear Buffer zones to prevent bears from frequenting urban areas and damaging private property, not to assure that there was an increase in the local bear population.

Urban & Small Agriculture Program – Hall and Watkins reported on their involvement with recent local meetings on this topic.

Other New Business – None

Old Business

Lease Agreement – Rocky Mountain Gardens and Exploration Center – The Board expressed agreement that the most recent version of the lease agreement was sufficient for approval.

Libby moved to approve the draft Operations Agreement between the Missoula Conservation District and Missoula County, Montana for the Rocky Mountain Gardens and Exploration Center last modified on July 13, 2022. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

Other Old Business – None

Payment of Bills and Claims

Tim moved to pay the bills and claims. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion passed.

Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from July meeting			\$12,488.54
7/14/2022	Transfer from Tax Mill Levy account		\$4,500.00	\$16,988.54
7/20/2022	Check 1555: Transfer to Petty Checking account	(\$1,500.00)		\$15,488.54
8/1/2022	L. Turner: No-till drill rental & deposit		\$486.90	\$15,975.44
8/3/2022	Return: L. Turner drill deposit refund	(\$340.90)		\$15,634.54
	Totals	(\$1,840.90)	\$4,986.90	
	NET TOTAL	\$3,146.00		

Petty Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from July meeting			\$951.21
7/20/2022	Transfer from Checking Account		\$1,500.00	\$2,451.21
7/20/2022	USPS - Priority postage for Healthy Riparian Guides	(\$8.70)		\$2,442.51
7/20/2022	Staples - Vehicle mileage log book	(\$14.99)		\$2,427.52
7/25/2022	City of Missoula: parking - Watkins	(\$2.00)		\$2,425.52
7/31/2022	Zoom - Monthly fee for Watkins & Vogt	(\$31.10)		\$2,394.42
7/31/2022	Amazon.com - Supplies & Shipping for 223 Grant	(\$22.94)		\$2,371.48
7/31/2022	Amazon.com - Supplies & Shipping for 223 Grant	(\$18.96)		\$2,352.52
8/5/2022	Town Pump - Windshield wiper fluid for 4-Runner	(\$3.29)		\$2,349.23
8/5/2022	US Plastic Corporation-Supplies/shipping for 223 grant	(\$242.16)		\$2,107.07
	Totals	(\$344.14)	\$1,500.00	
	NET TOTAL	\$1,155.86		

Savings Account

Date	Description	Charge	Deposit	Balance
	Balance from July meeting			\$50,425.24
7/31/2022	Interest		\$3.43	\$50,428.67
	Totals	\$0.00	\$3.43	
	NET TOTAL	\$3.43		

DA Davidson Account

Date	Description	Charge	Deposit	Balance
	Balance from July meeting			\$200,064.30
7/31/2022	Interest		\$4,094.43	\$204,158.73
	Totals	\$0.00	\$4,094.43	
	NET TOTAL	\$4,094.43		

Tax Mill Levy Account (Warrants/Claims)

Date	Description	Charge	Deposit	Balance
	Balance from July meeting			\$403,695.93
6/30/2022	Mill Levy and Interest		\$29,942.57	\$433,638.50
6/30/2022	County Attorney - Legal fees	(\$1,250.00)		\$432,388.50
7/1/2022	Payroll - Pay Period 13	(\$6,023.95)		\$426,364.55
7/14/2022	Verizon Wireless - District cell phones	(\$104.72)		\$426,259.83
7/14/2022	FIB Mastercard - Fleet gas card	(\$166.50)		\$426,093.33
7/14/2022	Charter Spectrum - Office internet	(\$109.99)		\$425,983.34
7/14/2022	Quarterly Supervisor Reimbursement Claims (4/1-6/30/22)	(\$2,954.87)		\$423,028.47
7/14/2022	Transfer to Checking Account	(\$4,500.00)		\$418,528.47
7/29/2022	Payroll - Pay Period 15	(\$6,023.50)		\$412,504.97
	Totals	(\$21,133.53)	\$29,942.57	
	NET TOTAL	\$8,809.04		

Adjournment

Tim Hall moved to adjourn the meeting at 10:42 pm. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion passed.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	13	-	-
Libby Maclay	12	1	-
Travis Greenwalt	13	-	-
Paul Parson	Absent	-	-
Art Pencek	11	-	2
Bob Schroeder	13	-	-
Sidney Wills	Absent	-	-

The next Missoula Conservation District meeting is scheduled for **Monday, September 12, 2022 at 7:00 p.m** in the USDA Service Center conference room located at 3550 Mullan Road, Suite 106, Missoula, MT 59808. Meeting location is subject to change based on the most updated COVID guidance. A virtual option to join via Zoom or phone will also be offered.