COMMISSIONERS APPROVAL

IMAN

CHILCOTT

FOSS

KANENWISHER

STOLTZ

PLETTENBERG (Clerk & Recorder)

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

Date.....August 4, 2011

►Minutes: Beth Perkins

►The Board met for discussion and decision on the Davis Violation at 9:05 a.m. Present were Civil Counsel Dan Browder, Planner Tristan Riddell, Attorney George Corn, Bitterroot Star Reporter Michael Howell and Maggie Wright.

Commissioner Iman called the meeting to order and requested a report from Staff. Tristan Riddell stated the Planning Department received a citizen complaint for a potential violation and an investigation was conducted for the Davis property. The violation was the road access to the proposed subdivision off of the internal roadway and the Davis' utilizing this roadway to their property through the ingress/egress zone. An initial letter was issued for a site visit without any response with a follow up letter sent in December. The Davis' called the Planning Department allowing access to their property. The violation was verified with the site visit and another letter was issued in February. Brian Davis visited the office in March and stated the Davis' would discontinue use. There was another complaint claiming the usage was continuing on Chavez Lane.

Brian Davis stated prior to the fence, he spoke to the Planning Department 15 years ago for utilizing the access. Other then walking in and out, they will not use vehicular access. He explained the problem between Benny Chavez and John Raymond regarding the property and the easement.

Commissioner Iman opened public comment.

Attorney George Corn stated there is more to the history of the platted easement. In 1997, there was a lawsuit regarding the easement and the Commissioners declined the abandonment. There is a process for changing the access and the driveway. He requested the Board enforce the violation.

John Raymond owns the property between the Davis and Chavez and is being denied access to his own property by Mr. Chavez. The lane was opened to anyone in the 70s & 80s. It was not blocked off until 1997. Judge Langton granted ingress/egress to Mr. Chavez but did not declare the road private. He has a garden across from the garden and hasn't witnessed anyone driving in and out of the gate and this is purely harassment. We didn't want a subdivision with 12 feet out of 40 for a driveway with the rest abandoned. He maintains the road personally and till the weeds. He is here to testify that the Davis' are not driving in and out of the gated area.

Brian Davis stated this is the first he is hearing about him violating the utilization other than foot traffic from Mr. Corn. Ti would have been easier to go out the gate but he will turn the trailers.

Mrs. Davis stated any other public citizen may use the road but Mr. Chavez does not want the Davis' to utilize it.

George Corn stated there are people who utilize the public easement but are not driving over the ingress/egress zone.

Brian Davis asked where the proof of them driving in and out of the driveway is. The road has been there for 15 years. He stated no evidence could be found because they haven't done anything. He requested prosecution of the Chavezs for false accusation.

Commissioner Iman closed public comment and opened board deliberations.

Tristan stated the Planning Department would be satisfied if there isn't any additional vehicular usage across the ingress/egress area. He suggested a follow up letter with Commissioner signatures for no vehicular access. Discussion followed regarding the definition of permanent vehicular access. Commissioner Chilcott listed his findings of fact: the Davis' purchased the property with a no ingress/egress area, they purchased the gate to get farming equipment in and out of the property, Chavez Lane is a public easement with a private road and therefore a public access. Commissioner Foss asked if the gate has been used. Brian replied they have not used the gate once notified by the Planning Department. Commissioner Kanenwisher added to the findings of fact that Mr. Davis stated that he did approach the Planning Department for the issue. Commissioner Iman stated Mr. Davis had not gone through the process to change the egress/no ingress area. Mr. Davis has openly admitted the violation prior to the notification of the letter from the Planning Department. He did try to resolve the issue with Mr. Chavez that resulted in a lawsuit. Commissioner Chilcott recommended making the gate smaller to not allow vehicular access. Commissioner Kanenwisher acknowledged the issues between the Davis and Chavez for fifteen years. The gate and road have been in place for at least 15 years without anyone arguing it. He suggested placing a post in the middle of the gate so it would not swing open any more. Commissioner Foss noted there is a process that has not been utilized yet. She agreed with Commissioner Kanenwisher for the least expensive solution.

Commissioner Chilcott made a motion to provide these six findings of fact: The Davis' purchased their property without ingress-egress, it was constructed with a gate by the Davis', Chavez Lane is a public right of way with a private road, there is a prosecurial remedy to lift he ingress egress zone, the gate, fence and road existed for more than ten years, and no complaints were raised to the County. Commissioner Foss seconded the motion and all voted "aye". (5-0)

Commissioner Chilcott made a motion to issue a letter to the Davis' requesting them to reduce the size of the gate to restrict vehicular access until the process can be initiated. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)

▶The Board met with Extension agents regarding space in the Administrative Center at 10:00 a.m. Present were Extension agents Bobbie Roos and Katelyn Andersen, Virginia Chaffin, Environmental Health Director Lea Guthrie, Lee Tickell, Mary Barton Bitterroot Star Reporter Michael Howell and Maggie Wright.

Bobbie Roos requested to be on the agenda due to receiving calls regarding the County continuing to house Extension. Commissioner Kanenwisher stated as part of the budget process, the Commissioners look at all departments and efficiency. There have been situations where those conversations have created false rumor with employees. It is not a matter of public disclosure or policy until it goes from concept to an agenda item. Katelyn expressed her concern with rumors of blueprints being viewed and Extension being "kicked out" without anywhere to go.

Commissioner Chilcott spent time with Extension for their concerns of this rumor. He suggested it be placed on the agenda for Board discussion. Commissioner Iman stated two years ago, the Justice Center went through this same process. It has to be an open public discussion for any moves of any departments. The discussion would include services rendered, cost, IT, and public input. Commissioner Stoltz noted the Commissioners would be remiss if questions were not asked for fiscal responsibility and the "rumor mill" makes that difficult. Bobbie believes in transparency and would like to be aware of any conversations regarding Extension even if it is in the "idea" stage. This may produce opportunity for both the Commissioners and Extension for future partnerships. Bobbie sees expansion for the gardening portion and plant clinics. Katelyn discussed serving approximately 50 clients per day with questions that may be answered in five minutes or 30 minutes. There is a need for a kitchen for nutrition classes and possible cooking/canning classes. Commissioner Kanenwisher discussed the option of a remodel at the Fairgrounds to accommodate Extension's future needs and the ability to obtain those funds needed. Discussion followed regarding other options.

Maggie Wright asked at what point in the process would there be an appropriate time to bring the idea to the public and stakeholders. Commissioner Kanenwisher replied the process is to run through the questions that can be answered and then the questions that can't be answered. After getting the answers to those questions, then weigh the answers before moving forward or abandoning the idea. Discussion followed regarding the discovery process and the option of having a subcommittee of the Board to investigate these questions. Commissioner Chilcott stated the bottom line is no decision is made by a single Commissioner. A discussion may take place but no decision can be made. If a decision is made, it will be on the record in a public meeting. Bobbie made a suggestion to have those discussions upfront would help the departments avoid the confusion. Commissioner Kanenwisher addressed the concern of combining Planning and Environmental Health being part of the false rumor mill.

Maggie Wright is here based on the rumors of the combination of the Planning Department and Environmental Health. Commissioner Kanenwisher replied those rumors are not true. Meeting adjourned.

►Minutes: Glenda Wiles

►The Board met to award the bids for the Eastside Highway Path for the Corvallis CTEP Project at 1:40 p.m. Present was CTEP Administrator Glenda Wiles who presented the Engineers letter with recommendation for bid award after their review. It was noted three bids were received on August 2, 2001, with Specialty Excavating being the lowest responsible bidder for both alternative bids, those being: Concrete surface: $83,630.75 (Alternative 1) and Asphalt surface: $74,959.50 (Alternative 2).

Public comment: Carol Peterson appreciates the support of the Commissioners for the pedestrian pathways in the Corvallis area.

Commissioner Chilcott made a motion to award this contract, contingent with Montana Department of Transportation's concurrence, to Specialty Excavating for Alternative #1 in the amount of $83,630.75, having signature by the CTEP Administrator. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)

►The Board met for the continuation of discussion and decision regarding Title 10 Family Planning Contract at 2:00 p.m.

Present was Public Health Nurse Judy Griffin and Nursing Staff as well as numerous citizens, television, radio and newspaper representatives.

Chair Iman called the meeting to order giving some background as to the previous meetings. He noted in the previous meeting, the Commissioners directed Judy to put together a clarification of the Title X Requirements, which is noted was presented by Judy at this time.

Commissioner Iman asked if there were any conflicts of interest from Board Members. It was noted there are none.

Judy gave some background as to Title X requirements for family planning clinics. She noted these guidelines are part of federal statute (Public Law 91-572; Family Planning Services and Population Research Act of 1970) and as such they cannot require written consent of parents/guardians for the provision of services to minors. She also indicated, nor can the project notify parents or guardians before or after a minor has requested and received Title X Services. Judy addressed Montana Code Annotated 41-1-402 which allows a minor to give informed consent for contraceptive services, STD and HIV testing. Judy noted Title X guidelines require clinics to provide STD and HIV screening to all patients, and the guidelines that that "abstinence, as well as contraceptive and safer sex pro-active options, must be discussed with all adolescents. Judy explained the income assessment for adolescents under Title X as well as the rules that do not allow a family planning recipient to select and reject specific services for the planning clinic and still receive Title X funds. Judy relayed that 80% of the family planning clients are 18 years or older, 78% are at the poverty level or below poverty level and 88% are without insurance. Financially, most of the clients cannot access a private provider. Any denial of these health services would be catastrophic to them and their families. With the surge in STD rates there would be a ripple effect in the entire community if these services are not provided, even months after the family planning services are closed. She stated these clients don't have the gas money

to travel to Missoula for these type of services, and the funding does belong to Ravalli County through tax payer dollars. Judy offered to read a couple of letters from a citizen as well as the Health Officer.

Commissioner Iman stated Judy should present letters at the time of public comment, but the Board would like the issues of the program/guideline requirements addressed first. He noted the deadline for the Commissioners to either accept or deny this grant is August 8th.

A conference call was then placed with the State Department of Public Health and Human Services. Helen McCaffrey and Jane Smiley joined on speaker phone.

The Commissioners asked if the deadline to this decision could be extended past August 8th. Helen stated the Task Order (agreement for funding) must be signed by the 8th. They also asked if there could be a parallel program to serve minors outside the grant. Helen stated no, as Title X monies come under federal statute with guidelines that all services must be provided to adults and minors. The county cannot pick and choose and there can be no referral to other agencies.

Commissioner Iman asked is funding offered in advance, and are the actual services being performed by Ravalli County for the federal government. Helen stated yes, the payment made for services is in the previous month. Commissioner Iman also asked if special money can be provided for other services. Helen stated they contract with Ravalli County for a variety of public health programs. This Task Order is specific to family planning, and it is one piece of the funding.

The conference call was then terminated.

Commissioner Iman then addressed some housekeeping issues of the public meeting. He stated there will be no outbursts or applause by the audience and any public comment must be directed to the Board of County Commissioners. He noted the Commissioners have received well over 180 comments by email and voice; which are being made part of record. Commissioner Iman then asked Judy to present the comments/letters she has received. Judy then read a letter from a thankful client of the family planning clinic for over 25 years as well as a letter from the Health Officer, Dr. Carol Calderwood who stated in part that she has strong support of the Title X Family Planning program in Ravalli County. The elimination of this well established, prevention-oriented program would not make sense socially, medically, or even economically in the long run. Title X provides women health services and birth control to an otherwise under-served population. Dr. Calderwood also noted this program has reduced morbidity, mortality, and the number of unwanted pregnancies for the nearly four decades it has served Ravalli County and if the program does not continue, she feels it would be a social, medical and economic travesty in Ravalli County.

Commissioner Kanenwisher called for a point of order, allowing staff to present then the Commissioners prior to public comment.

Commissioner Kanenwisher stated for the best use of time he would like to clear a couple of things up, for example some people have stated the Public Health Office will close if they do not receive the grant, and that is simply not true. Also, the county may chose to replace the money being refused. He indicated the Ravalli Republic Newspaper addressed issues of contraception and pregnancy, and those things were not sufficient for him to refuse federal funds. Rather the

topic at hand and the deal breaker for him is the issue of parental notification. Commissioner Kanenwisher read from a statement which in part stated as follows: A child, like everyone else, has rights, and throughout legal code and cultural practice it is recognized that a child lacks the maturity and accountability to exercise those rights, and so until the age of maturity the right resides with the parent. The parent has a constitutionally recognized right to parent, so when the state subverts that relationship it is not only violating the parent's right but also the child's. Commissioner Kanenwisher also addressed the low cost medical service and low cost medication being a benefit, not a right. The County may refuse the grant money and replace those funds with county funds in order to avoid the terrible consequences of depriving a parent of their rights. In the end, the consequence would be that some other county department or program must get by with $38,000 or less. So the question is: Does the $38,000 grant constitute a benefit so great that a parent's rights must be violated?

Commissioner Kanenwisher stated he holds the parent's right to raise, advise, educate and direct their child according to their own conscience, which is of the highest importance. A public benefit which may be provided for a sum which is less than 1% of the County's annual budget, does not come anywhere near meeting that standard. Finally, a parent's relationship with a child is sacred and he will not violate it unless or until the parent violates it by their own actions.

Commissioner Foss stated she is looking at t hiss as a mother and grandmother. She felt this is an issue of parental rights. She stated she has had multiple conversations with parents whose children received prescriptions and they had medical consequences of these prescriptions. The child's health and family's finances were compromised, and there are litigation court cases coming from those prescriptions. She stated she must also look at the county's fiduciary responsibility.

Commissioner Stoltz stated what Commissioner Kanenwisher stated is what he feels.

Commissioner Chilcott stated this has been a tough issue, and he understands not all parents want to be parents and participate in their children's lives and we all hear about neglect and abuse. When he was elected he never thought this would be an issue. He also noted the county has a number of people being served, but what the concerns are here is the parental involvement, i.e. the fundamental right of the parent. Commissioner Chilcott stated if his grandson breaks his arm at his house he must wait at hospital for his grandson's parents, yet in this issue we can have children go into a governmental facility and make decisions about their health without the parents. He stated this is not an issue of the nursing staff as they do a great job and we are blessed to have them as employees and he has no doubt they provide good counseling. In regard to the cancer screenings, and other services, including the morning after pill, he asked if that is provided to any age 8-80. Judy indicated that is correct. He stated he does not know what the Commission vote is going to be, and that is why we are having this meeting. When citizens elect people to office, they are elected as part of their moral and ethical decision making – we all have that and it is part of the process. He stated if we don't have family planning and an increase in the number of abortions occurs, and an increase in costs to the welfare program occurs, then that is a cost to the tax payer. So the question is what we can do to live within our moral limits as Commissioners and still providing a range of services especially to the adults. Can we fund these same procedures that are provided in Title X but limit their application to adults, and not violate any law?

Judy states that is their prescriptive authority under Title X. Without that Title X money we could not provide those services. If you still want the services, can someone come in and provide those services? She stated she does not think so. Commissioner Kanenwisher stated other counties have done it so we can check that out. Judy stated that might be their low income clinic and not part of Title X.

Commissioner Iman stated the program is based on three things: county, state and federal contributions. The only dilemma or issue being raised is the treatment of minors, but that is less than 15% of the total program. While he hopes his child would come to him for advice, that is not always the case and the law protects that child too. He stated he would not risk the entire program based on that one issue.

Commissioner Foss stated she received call from a Pediatric Nurse who works in Sandpoint, Idaho. This nurse told her not to take the funding because 15-17 year olds are choosing to get pregnant because it is cool to be a mom, and they don't have to go to school and everything is free to them from that point forward. She stated this is an issue of children having children and it is not all about contraceptives. Some children need help, and if we want to continue helping the family planning, without giving prescriptions to minors then lets come up with alternative funding because she cannot take the parent out of the equation.

Commissioner Iman reiterated to the public that everyone has strong feelings and it is important to remain civil, no clapping.

Public comment was now open:

Kate Duggan is the Bitterroot Community Coordinator for Vote. She stated she respects the Nursing Staff. This program means a lot for those who do not have the means. Right now times are not good, the local food distribution 2010 statistics show a doubling over last 10 years. This program is an asset and it works; there are healthier babies and an educated mother is more informed to help raise her child. There are other services such as cancer screening and eliminating this one essential service will deteriorate the program.

John Meyer of Stevensville stated the Commissioners are being reasonable and Title X is unreasonable. He felt the Commissioners are trying to solve the problems that need to be solved and put the family back in first place. Title X does not articulate putting the family back into first place. He appreciates the Commissioners challenging this and applauds them.

Nancy Balance of Hamilton stated when the Feds take our money, it doles it back to community, our community. If we disagree with one rule we are stuck with all, so we end up compromising our principals, don't do that by tying ourselves to their rules.

Dr. Renea Godder of Natural Homeopathic Services stated she refers her clients for other services that are available by the State for those over 40 years of age. She supports Commissioner Foss and wants the Commissioners to find alternative funding. She does not accept immunization from the State because she must follow the federal strings which she considers a sell-out. She has seen this community raise thousands of dollars for numerous things, and she knows some groups that are willing to come up with money for these services.

Michael Sorkora of Hamilton stated he is a father and grandfather. If we want Theocracy, move to Iran. He felt giving information to children about STD's is not telling them to go out and catch one. For the bible thumpers who are against abortion, then they need to go out and adopt those unwanted children. If the public does not agree with Commissioner Foss, Stoltz and Kanenwisher, we can vote you out.

Cheryl Rice of Stevensville stated her family has been in the Bitterroot for several generations. She had a child out of wedlock, had no insurance and nowhere to go, so she knows how important this issue is for all of the community. She stated she takes offence that we do not offer health care. With her genealogy background she has seen travesty that has occurred without proper health care. We must function properly in this financial crisis and it takes the county, state and federal government to help with this.

Toddy Perryman of Corvallis stated the Commissioners are more concerned with sex lives than the citizens' rights. Title X is important, and the Commissioners cannot legislate morality. The Commissioners were not elected to be our moral guardians. Many citizens rely on this service, don't shut them out. Your moral compass is not everyone else's.

Dixie Stark of Darby states you can have sex at 16. In the Commissioners Oath of Office, they are required to follow local and state, and federal laws. Don't make kids wait until they are 18 to get birth control. No moral compass will change the existing law and if you want to do that run for an office in Helena.

Marcie Smith of Victor stated she is a Trustee of Victor School District. She knows that all federal funds come with strings attached. And teens don't always come to parents. In Victor School District, this past year they had three teen pregnancies. For the 9.1 billion dollars of federal money, that means 18 million in STOM. Children of teens have higher incarceration rates and the impact of teen pregnancy is important when it comes to receiving a high school diploma, college diplomas, future earnings or their poverty levels.

Kathy Roubik of Hamilton stated these are our local taxes coming back to us and it takes the federal, state and local tax money to provide these needed programs. And now you want to run the local county level with bake sales? Un-necessary abortion is eliminated by birth control. Think about how we are going to deal with this whole issue.

Elizabeth Neff lives in Ravalli County and was shocked and appalled that this question would even come up. More shocking is that 450 residents might be without health care at the hands of 5 people? Some kids don't have parents. When she was 13 her mother died and at 14 she left home. So while you might want children to go to their parents, they sometimes don't have them to go to. In health care counseling, she received the education she needed for birth control which included abstinence. She asks the Commissioners to consider the children that don't have the perfect parents. The Commissioners are here to protect all of us. She suspects none of the Commissioners have used this service, because if there is no service many will forgo health service.

Pam Erickson stated these are hard stories to listen to but these are the stats for Montana. The fact is that Montana kids are having sex: 1265 live births from 15-19 year olds and 2 births from a child under 15. She doesn't know the relationship with kids and parents, but this is a simple program that gives contraception. She stated this program has been going for many years so why

is it controversial now? She also noted that most receiving this service are poor people needing this service. In Montana 39% of males in the 9th grade have had sex. Are we going to cut them lose without education and birth control. Pam noted this program saves women's lives with cancer screenings and we will have more deaths. These deaths will then be at your feet.

Nancy Oesaw of Hamilton asked why the Commissioners would reject this money as it comes from our tax dollars. This is vital for our health care and these people are low income in hard economic times. It cost $17.00 for birth control and thousands to raise an unwanted child.

Carolyn Kengott of Victor has been a speech pathologist for 32 years. She starts with kindergartners, and in the past 100% use to pass and now only 50 % pass. She feels this is a crisis. High print homes have millions of word communications of words, but from a low print home there will not be as many presentations of this communication. She stated they can never catch these low print home kids up with the needed verbal reasoning and articulation. She stated she is dealing with these delayed kids who are the results of the teens who 'messed up'.

Denise Coates is a mother and grandmother, It is important to note that after all these years of programs it is not getting any better, it is getting worse. Teens still do the same old things with more government handouts. Our nation is in a crisis, we need morality. She is grateful to the Commissioners that are talking decency and morality. We don't want bad things to happen to our children, we need to work together and not rely on the government. She asked that the Commissioners check out the alternatives.

Laurie Minns of Hamilton is a mother, a University Professor and a Doctor of immunology. The Center of Disease Control has 19 million STD diagnosis in the United States for the age group of 15-24. Currently one in four teen have an STD, 18% have HPV (cervical cancer). She wants her child and other teens to get these screening tools. Other STD's such as herpes never go away. This screening for teens is important, regardless of your personal beliefs, the lack of these services are putting these teens at risk. There is a separation of Church and State in this issue. She wants to teach her own children, and asked that the Commissioners do not instill their values on her.

Carol Peterson urged the Commissioners to use Title X funds for parent notification. Twelve years ago her daughter got pregnant and the nurses, doing their good jobs, told her daughter to talk to her parents.

Dr. William Peters stated he has been practicing medicine for 30 years. In regard to parenting, the health staff asks the teens to talk to their parents, but if that does not work, then the teens become their patients. Otherwise, you will get all those other consequences. If the teen trusts us, then we can get them to start to trust the parents down the line. He felt this is critical to support this clinic

Cynthia Radamaker of Corvallis asked why the County Attorney is not here as this is a subjective law. She asked the Commissioner to consider the precedent for other federal funds. If someone is raped in motel do we receive bed tax? These are our tax dollars coming back to the community. She urged the Commissioners to think further down the road.

Andrew W. stated this is what democracy is all about. He is a Veteran and quoted from book of Mormon; stating if they deny the poor they are hypocrites. We all love Hamilton, it is an ideal

place to live, and now the Commissioners have brought a divisive debate that will tear the town apart. If this clinic gets shut down the Commissioners open a slippery slope. Maybe an abortion provider will come down if you close the family planning clinic. In Buffalo a Doctor was shot in his home because he performed abortions...don't bring that here.

Dr. Ellyn Jones stated she has been in practice for over 40 years. She does not want to take care of kids that no one wanted born. Teen is decreasing because they have access to birth control and to health care providers.

Marlin Foss stated it is illegal to lie and we can legislate morality. He has two daughters and he has a hard time hearing these statistics. We are on a runaway train bound for hell. When he was a 13 yr old he and his friends hardly heard of sex. He commends the Commissioners and told them to do what is right.

Kirsten Schmidt of Corvallis spoke regarding parental notification. She feels not as many parents as we'd like to think are having those conversations with their teens. While she has those conversations with her daughter, others don't. Most clients that come to this clinic are 18 and above so they do not need parental consent so the minors being served are a small fraction.

Drisby Lange (daughter of Kirsten) stated birth control is needed for those under 18 because they do not know how to protect themselves and need to be educated.

Dallas Erickson of Stevensville stated every decision the Commissioners make legislates morality, because every law legislates morality. Abortion now becomes legal because someone began to legislate that. The Commissioner need to protect the fundamental value for parents to be involved in their teen's life. No other issues are involved, this is our valley, just say no to federal money and yes to parents.

Valerie Widmer of Emma's House works with family's which includes child abuse or neglect (both sexual and physical) and she can offer the Commissioners a glimpse of what she and her staff sees. She supports Title X funding.

Heather Barrett is an RN and a mother; she also works at Emma's House. All children deserve to live with families who love them and take care of them. If they don't have that family relationship they have to have a place to go. Some kids have no parent to go home or talk to, and the parent may be the actual offender. Emma's House has an agreement with PHN for services such as birth control, STDs etc. and without these funds these issues they deal with will become worse. Rate of side effects is lower than STD occurrence. Please consider this funding as our society is judged in how we treat those who cannot take care of themselves.

Warren Ninenhouse has lived here since 1996. He has spent a lot of time thinking about this. He is a cancer survivor and had adequate insurance and good medical care but for others they might not have that positive outcome. How can you even consider taking away these vital funds, something else will suffer for it and this is basic care to those that are less fortunate. He has worked with the Job Corp for 20 + years and saw how many are given over to a life of poverty. Denying these funds is callous for those that are in the most of need.

Dr. David Laraway has been an OB GYN physician for 10 years in Hamilton and has been practicing physician for 20 yrs. As a Doctor he has dedicated his career to making women

healthier. While he grew up with Commissioner Kanenwisher hearing the same sermons at church he sees they are polar opposites in this issue. He just treated a 15 year old for an ectopic pregnancy who almost bled to death and who also has STD, he believes family planning could have helped that teen. Saying it will work if we talk to kids issue is naïve; he works in the real world and not all kids can talk to parents due to abuse. He is fully behind the teen's ability to be able to make their reproductive choices.

Barbara Gill of Corvallis when she heard that the Commissioners were going to turn this down she was shocked, and then to talk about finding other funds. This program has worked for many years, so why this conversation even taking place. She is also a substitute teacher and she sees the broken families, so don't tell her these kids can talk to their parents. She said the Commissioners should stop this ridiculous conversation.

George Corn, Private Attorney has lived here for last 30 years. There is a collective wisdom in the past practices of the county and he hopes the current Commissioners minds are not made up. There are a variety of backgrounds from the previous county commissioners and they took the monies. When you are in public life, unlike private live, it is important to see the whole picture. The people seeking these services are poor; predominately women and children will suffer if the services are not there. He worked in 1983 as a Defender in the Youth Court system and indicated there is social mis-function and urged the Commissioners to take the funding, thus keeping the service.

Judy Baker and gave an example of a woman named Brenda who is a 27 years old virgin and receives health care from family planning. Judy also stated her grandparents utilized the services of the Sapphire Clinic. They are all Republicans enjoying the services that Democrats put together. Four days ago, Brenda now understands that she should not have voted these Republicans into office because they are trying to take away her health care. The Commissioners won't get her vote next year.

The Board now discussed the time and asked how many more members of the public wanted public comment. With the amount of hands raised it was agreed to continue allowing public comment until 4:00 p.m.

Stacey Umhey – of S.A. F.E. stated the family planning clinic services affect many levels of the community. She urges the continued funding. As the S.A.F.E. Director she sees people in abusive relationships that are actually kept out of health care by their abusive partners. The county residents need these health care providers to help these people. Stacey stated she is the product of an unwed 17 year old mother. When she was a teen ager her mother helped her by taking her to a family planning clinic. When she married and had plans to have my own family, she continued to receive her health care from family planning. Dr. Laraway just delivered her third child and Dr. Jones has doctored her other children. She believes she would have been a statistic without family planning.

Harris Himes Pastor of the Big Sky Church stated it is hard to stay away from biblical issue particularly in regard to raising children. He felt this issue is a biblical contest and God is in that race. God says the responsibility of raising children is from the parents. He asked are we going to have a community that follows godly principles. If the Commissioners take these funds, they are ignoring God's mandate. Why is there no parental discretion in this Title X money – that is imposing Godless principals upon the community.

Dave Wisebeck of Stevensville agrees with Harris Himes. With all the problems in the world and our country, Ravalli County should be the first people to say we are backing away from federal funds. The U.S. is trillions of dollars in debt, why don't we just let China control us. He came from large family and raised five children of his own. One of his daughters was told by family planning that it was ok not to tell her dad that she was on birth control. At that point she became sexually active.

Anne Marie Carpati stated she has heard something's that are not true, for example: The most unprotected are the unborn (un-true). Some children do get pregnant when they are on birth control (not true). In 1971, a family planning clinic killed one of her friend's baby. She had parents who did not want her or her siblings, had there been a family planning clinic she would have been aborted. Her parents were dirt poor but they paid their own bills, people need to be responsible.

Jacquie Coppage stated teens can have the best relationship with parents but if parents feel strongly about birth control the teens won't go to them. In regard to the financial issue, Ravalli County Government is in dire straits, but they are willing to turn money down? Roads are in need of repair, infrastructure is falling apart. One solution to this issue might be to have the Commissioners take at 20% cut from their $54,000 salary. She felt it was disingenuous for the Commissioners to say this is a moral issue. Do not impose your personal views on the people of this valley. Don't cut off services for other children, rather deal with your own.

Dick Coppage lives in Hamilton and stated there are no other counties turning down this Title X money for any reason let alone the ludicrous reasons just stated. The only safety net for these teens is this family planning center.

Judith Watkins is a breast cancer survivor and it is important to have early detection for reproductive illnesses. Highest mortality rate is from reproductive cancers. Many times that mortality rate is because some people do not have health care clinics. In the far reaches of state it is hard for women to drive to a clinic for these services. She begs the Commissioners to forgo the 'sexual' part of this issue and think about the whole issue.

Jan Wisniewski, a Ravalli County Planning Board Member stated when he had his interview with the Commissioners they asked him if he could make a decision that would be un-popular. If you believe in something go for it and the three commissioners made a promise to the voters. He advised them to stick to their guns. This bill and funding comes with addendum about parental notification and that is a violation of the parental rights. He advised Commissioner Iman and Chilcott to keep their minds open.

Christine Dunbar is a Christian and has used these funds. At 15 she used services as for birth control for medical reasons but was not sexually active. Now she has graduated from college and she still uses the family planning clinic. She stated this is a vital medical care facility for women in this valley. It is not about sex all the time.

Kay Fulton of Victor is a retired mental health counselor. She took her daughter to the family planning clinic because she respects her and she hopes she will continue to obtain those services when she is off to college. If the Commissioners want to do something positive, then put together a strong parent education program here in the valley.

Vern Kirshner of Stevensville thinks parents should be contacted. Either way the Commissioners vote he will support them, but remember one of the greatest quotes from the Black President is that "Elections have consequences".

Lee Tickell ran several health care programs in Montana. He stated if the Commissioners accept Title X money, nothing gets in the way of a parent and child. Not all children have a good relationship with their parents. They are not as fortunate. In Medicaid $22 million dollar babies have been born (cost for their first year of their life). If services for Fetal Alcohol would have been offered this could have helped.

Renea Kerrick grew up with good parents but she and her siblings were shy. They could not talk about sex etc., and of the 6 kids she grew up with 4 were pregnant prior to high school graduation. When she was 19 she and her boyfriend decided they needed to go to family planning. To this day she can hear the whole curriculum on family planning. Her children were planned and they helped her with her own children. She urged the Commissioners to support this funding.

Coleen Meyer of Stevensville stated there is no perfect family or government, but there is a perfect God. Do not accept government control over our families.

Mary Barton of Hamilton stated when boys make a mistake they have a back door to exit out of, but the girls don't, they have consequences that last for a long time. She stated in actuality the citizens need protection from this Commissioner (pointing at Commissioner Kanenwisher).

Joan Perry did not anticipate coming here today stating she knows how the Commissioners think but she does not think that way. Hearing about this issue has her very upset so she feels the need to give comment. She has a daughter and has used these services. To not allow this service, feels like the Commissioners are dictating their personal philosophies on all the rest of us. This is an excellent organization and to deprive people of this service would embarrass her to live her. She and others feel ignorance is on this Board. She suggested the Commissioners go out into the real world and they would see these services are vital, and to get sidetracked on this parental issue is not good. She stated she appreciates that Commissioner Kanenwisher finally made eye contact with her.

Commissioner Kanenwisher stated they need to limit public comment to the last two people standing. Commissioner Iman agreed.

Attorney Gail Goheen is a mother and grandmother. As an attorney she has dealt with so many children who have no communication with their parents and are actually being sexually abused by their own parents. The family planning services equate to 12% for minors and the remaining 88% is for those 18 and over. This is not an issue for personal views because if we listen to each other, we will keep the big picture in front of us. The 12% who utilize the family planning services need them. She supports the funding and appreciates the Commissioners taking the time to listen.

Ellen Hollingsworth is a mother and grandmother. She is appalled to hear there is even a vote on this issue. She said what the Commissioners are thinking of doing is to throw out the baby with the bathwater. She encouraged the Commissioners to accept the money for these services.

Public Comment now closed.

Board deliberation:

Commissioner Foss stated one of the things that she is having difficulty with is the numbers she is receiving on this grant. She would like to address a list of her questions with Judy. She was a single mom with two small children and she never took a dime of public monies. She worked three jobs to provide for her children. She never wanted to disappoint her parents. This is a program from the 70's, and there have been some spikes and lower rates of pregnancy during that time. Children younger and younger are seeking these services. She does not want her 8 year old granddaughter to avoid her parents and go to strangers for assistance. She has not made a decision on this yet but thinks the system is breaking down because there are no consequences to people's actions. She agrees there is a need to the health services, but the community needs to figure out where the money will come from. The Commissioners can make more money available to these programs if necessary.

Commissioner Kanenwisher stated there are a number of comments made today that are inferring we are violating the rights of the children who are in abusive relationships. Those abusive parents need to have their custody taken from them by due process. These opinions are not only mine, but those of the constitution. Commissioner Kanenwisher then read from his statement "As I sated at the beginning of the meeting, the bar for depriving a parent of their rights should be extremely high. Especially given the option that the county has the ability to provide a benefit to county citizens which does not entail violating that right and interfering with that sacred duty. I have heard nothing here today which convinces him to sacrifice that relationship for another's benefit. What has been said here today is that it is OK to take something so important from another person if you have a really good reason. I think a question for us all is t his: What place have we come to as a community and a country when so many will, with such ease, agree to depriving another person of their right in order to provide a benefit for ourselves?" Commissioner Kanenwisher stated he tends to say things that annoy people, but he feels our constitution is in a free fall – we are saying it is ok to take something away from one person to give to another person

Commissioner Stoltz stated he agrees with Commissioner Kanenwisher.

Commissioner Chilcott stated there are lots of passionate people here today and we were all civil. Parents have a right to raise their kids. He feels there is more to this program than birth control for minors. The kids that come in for services, it is clear to him that they do have the financial resources available to them if they chose to. That bothers him. The other services are important and you cannot get those services without money. He thinks it is wrong to put the state between the parent and the child. He agrees with Lee Tickle. Just because we don't give the service to the child, the parent can continue to communicate with the children. Early cancer detection is important; his mother was a breast cancer survivor. He does not know how to save one without sacrificing the other.

Commissioner Iman stated this discussion is whether or not to provide services for those who have the least ability to pay. We can disobey the law, or deny the service by refusing the grant funding. If we deny the service we deny it to everyone. These health services to a minor is a small percentage of the actual service, and while he agrees it is a problem, does it warrant taking

away services to many? If we don't' like the rules we need to change them. If we deny the services our citizens have to go somewhere else. Many individuals here today talked personally, professionally, and with more experience than him. Only one way to deny is to deny everyone whether you agree with the law or not.

Commissioner Kanenwisher made a motion to approve Title X monies for the family planning grant. Commissioner Chilcott seconded the motion. Discussion: Commissioner Foss asked Judy about the 155 teens that were receiving service out of 400 clients, and how does that mesh with the 80%. Judy stated in the reports the legal age of adults are 18 but they are reported as teens. Commissioner Foss stated the Commissioners are entering into a budget process, plus we have the community, and we have some time before we have to decide. She asked the Board if they want to make a decision or look at other options, plus she has other questions from Judy. She stated this has not been a civil conversation.

Commissioner Kanenwisher stated this vote does not preclude us from continuing to look at these services. Deadline is Monday and we need to vote on this. Commissioner Chilcott asked Commissioner Kanenwisher if the motion to was accept the funding. Commissioner Kanenwisher stated yes, but they still have the ability to look at other options for these issues.

Commissioner Kanenwisher asked about the money for cancer screening. Judy stated unless they have a Doctor come in. Commissioner Kanenwisher noted the need for a practitioner to handle those other health issues. He stated they need to decide what parts are important and what the County needs to pay for. Judy stated we need the sustainability of these programs. Commissioner Foss stated we need to continue to look at this because the federal funding might go away at a later date. If a child is being abused, then they can be referred and reported to the proper agency. Commissioner Chilcott asked if they accept the funding can they do it with the commitment to find an alternative source of funding for the next year, as they cannot do it in the next three weeks. Commissioner Foss stated if in the next 30 days the community brings us $50,000, they can always give the money back (to the federal government). Judy stated if you accept the grant you accept for the whole year and the Commissioners cannot terminate the program later. She respectfully asked the Commissioners to either vote for or against the funding.

Commissioner Chilcott stated he could vote for this if the body agrees to look at other funding for these services. Commissioner Foss stated she can support this if we do look at other funding sources, but she feels like she is selling her soul by saying that.

Commissioner Kanenwisher then called for the question: approve the grant or not. Commissioner Chilcott asked Commissioner Kanenwisher if he would accept an amendment to his motion "with commitment to explore and find other funding." Commissioner Kanenwisher stated he would not amend his motion, so it is either an up or down vote on this year's grant. Commissioner Iman noted the deadline is Monday at 5:00 p.m. With a no vote we do not take the money and the services expire Aug 5th at 5:00 p.m. Commissioner Kanenwisher stated there can be another motion after this motion. Commissioner Chilcott stated he wants to make the motion. Commissioner Iman stated Commissioner Chilcott can amend the motion until the call of the question. Commissioner Kanenwisher stated that is incorrect as he has already called for the question so there can be no amendment to his motion. **Commissioner Iman voted "aye." Commissioners Stoltz, Foss, Chilcott and Kanenwisher voted "nay". Motion failed 1-4.**

Commissioner Chilcott made a motion to accept the DPHS funding in the amount of $38,932.00 for federal year 2012 and a commitment on this body to find alternative funding to replace the federal monies for federal year 2013. Commissioner Foss seconded the motion also adding that it would also be alternative funding beyond 2013. Commissioner Chilcott accepted Commissioner Foss's amendment. Discussion: Commissioner Iman stated this is an annual renewal so regardless of whether this passes or not it is offered for consideration next year. Commissioners Iman, Chilcott and Foss voted "aye". Commissioner Stoltz and Kanenwisher voted "nay". Motion carried 3-2, to accept the Title X monies for this federal fiscal year and to seek alternative funding beyond 2013.

►The Board met at 4:50 p.m. to authorize the grant application for HB 130 stabilization facility monies with Resolution as was discussed and approved at a July 27th meeting. **Commissioner Chilcott made a motion to approve the grant application and Resolution No. 2715. Commissioner Kanenwisher seconded all voted "aye".**

11/7/8

Friday, May 2-1997

Petition to keep road closed denied

Not yet a road — The county commissioners voted not to abandon the platted road known as Chavez Lane, but they have not yet made a decision to declare it a road either. (Ruth Thorning photo)

By RUTH THORNING

On Thursday The Ravalli County Commissioners denied a petition from Corvallis-area homeowners to close an old "apple tract" road called Chavez Lane. But, that does not mean the road is an open county road either.

If the Chavez family, which is using the road to access some of their property, wants the road open, they will have to petition the county commissioners to do so.

"Think of these platted roads as right-of-ways, not actual roads," Ravalli County Attorney George Corn told the commissioners earlier this week. "County commissioners have jurisdiction over the right-of-way dedicated to the public's use. But, the right-of-way is not a road. For it to become a road you have to open it. For it to become non-public land, you have to abandon it."

Corn said the county has hundreds of such situations created 90 years ago when the apple tracts were created. "This is going to come up again and again and there is no easy solution for you," he added.

> "Think of these platted roads as right-of-ways, not actual roads."
> **Ravalli County Attorney George Corn**

Two weeks ago a group of property owners in the Whisperridge subdivision southeast of Corvallis asked the county commissioners to abandon the platted road. The 5-year-old subdivision parallels the Chavez property.

A dozen people testified in favor of the road abandonment, citing public safety for children in the area, dust problems from increased traffic, and decreased property values if the Chavezes decide to put a trailer court on their land.

The road was platted, in 1906, and has been in use continuously for agricultural purposes ever since. It provides access to the Hedge Ditch siphon and is the only access to lots owned by Don Tibbs. In 1972, there was a petition to abandon the road and it was denied by the county commissioners then. County Commissioner Jerry Allen and county road supervisor Larry Higginbotham viewed the road on March 27. Their report stated the road shows evidence of past and present use and they recommended the petition be denied.