

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, APRIL 1, 2021 – 2 PM

Virtual Meeting – Microsoft Teams

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Time stamps (in green) correspond to meeting recording above. Please click to the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair Strohmaier
Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Erik Dickson, Transportation Engineer, Public Works
Matt Heimel, Planner, Community and Planning Services
Tim Worley, Senior Planner, Community and Planning Services
Jamar Galbreath, Equity Coordinator, Commissioners' Office
John Hart, Civil Deputy Attorney, Attorney's Office
Juniper Davis, Parks, Trails & Open Lands Program Manager, Community and Planning Services
Shantelle Gaynor, Director of Relationship Violence Services, Community Justice Department

1. **CALL TO ORDER** *[Time stamp – 0:00]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:12]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:49]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 01:18]*
 - a. [Proclamation: Sexual Assault Awareness Month](#)
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 04:07]*
[None]
6. [CURRENT CLAIMS LIST](#) *[Time stamp – 04:34]*
Claims received as of March 18, 2021 to March 22, 2021 by the Commissioners' Office total \$1,297,321.71.

7. HEARINGS

a. Parkland Transfer to the City of Missoula *[Time stamp – 05:29]*

Juniper Davis, Parks, Trails & Open Lands Program Manager, Community and Planning Services

Commissioner Vero made the motion that the board approve the quit claim deed to convey ten County-owned parcels to the City of Missoula.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Quitclaim deed filed with Clerk and Recorder's Office. B: 1053 P: 532]

b. School Zone for Sunset Elementary School *[Time stamp – 14:41]*

Erik Dickson, Transportation Engineer, Public Works

Commissioner Vero made the motion to adopt the resolution establishing a school zone for Sunset Elementary School on Sunset Hill Road.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Resolution 2021-035. B: 1052 P: 1222]

c. B & M Zoo – Phase 2 *[Time stamp –21:45]*

Matt Heimel, Planner, Community and Planning Services

Commissioner Vero made the motion that B & M Zoo Phase 2 be approved as part of phase commencement based on the findings of fact in the staff report and subject to the condition of approval.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Letter 2021-094 Mailed to: Gene Mostad.]

8. OTHER BUSINESS *[Time stamp – 27:19]*

[None]

9. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 2:28 p.m.

BCC Public Meeting April 1, 2021 – Transcription

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[00:00:02] Of the Missoula City Council, April Fools. This would be the April first meeting of the Missoula Board of County Commissioners. So we'll begin with a land acknowledgement today. I would like to acknowledge that Missoula County and this event takes place in the Aboriginal territories of the Salish and Kalispell people. If you could join me now and I believe. Let me get my screen configured here appropriately. Hang on a second here. Experiencing technical difficulties today on. All right, well, I can't work my screen, so if you could join me in the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God, indivisible with liberty and justice for all. All right. Thanks, everyone. And we begin with one public announcement today, this is a proclamation recognizing Sexual Assault Awareness Month. Commissioner Varo, would you mind or would you be interested in reading this for us today?

[00:01:31] I can do so. Proclamation, Missoula County and city of Missoula, they're horrible feedback, I'm sorry. Whereas Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and has public health and safety implications for the city and county of Missoula and beyond. And whereas rape, sexual assault and sexual harassment harm our community, our friends and our families, studies show one in five women and one in sixty seven men will be raped at some point in their lives. One in six boys and one in four girls will experience sexual assault before age 18 and on campus. One in five women and one in 16 men are sexually assaulted during their lifetime in college. And whereas statistics can tell us how many people are harmed, but talking to a survivor reveals the true impact of this violence, the loss of safety and trust and sometimes even the loss of hope. And whereas the goal of Sexual Assault Awareness Month is more than awareness, the ultimate goal is prevention of sexual harassment, abuse and assault prevention, meaning stopping sexual violence before it happens by changing norms that allow it to exist in the first place, from attitudes, values and behaviors to laws, institutions and social norms.

[00:02:48] Whereas we asked our community to join us in the strong alone, Fearless Together campaign and championed the power of asking and receiving consent. Prevention is everyone's job. All of us can help create safe environments. We can intervene to stop behavior, promote healthy attitudes and relationships. Believe survivors and connect them to resources. And whereas we strongly support the efforts of national, state and local sexual assault prevention and response programs and their efforts to create safe and healthy communities. Now, therefore, we John Anderson, mayor of the City of Missoula, and Josh Slotnick, one, Taveras, Dave Stroma. Missoula County commissioners do hereby join the Student Advocacy Resource Center of the University of Montana, the YWCA Missoula Project Beacon of All Nations Health Center. First up at Providence St. Patrick Hospital and Make Your Move project of the Missoula County Community, Justice Department and communities across the country and play an active role to prevent sexual violence. Along with the United States government and the state of Montana, we do hereby proclaim April 20 twenty one a Sexual Assault Awareness Month.

[00:03:56] All right. Thank you so much, Juanita. You are there any other public announcements to be had today? Ok. Are there any public comments on items not on today's agenda? So if folks are here and wanting to comment on either of our three public hearings, you can do so at that point. If there's anything else that you would like to comment on within the scope of authority of the Board of County Commissioners, now is your chance. Ok. See, none of our current claims list, this would be claims received as of March 18th, twenty twenty one through March twenty second, twenty twenty one by the Commissioner's Office total one million two hundred and ninety seven thousand three hundred and twenty one dollars and seventy one cents. You can go online to the electronic agenda for today's meeting and drill down into the agenda item and see what that one million plus some change amounts to. You can even see what that seventy one cents amounts to that we spent money on. So we have three public hearings

today. We'll open each public hearing with a staff report, followed by an opportunity for an applicant or applicants representative to say a few words. We'll open it up for public comment. The commission will have questions and then we will move into debate and discussion and emotion motion on the item. So to begin with, we have our first public hearing, which I'll open, and this is related to park land transfer to the city of Missoula. And we will begin with a staff report from.

[00:05:40] Excellent. Hello, good

[00:05:42] Morning. Good afternoon, everyone. I'm going to share my screen here. Just give me a second. For the record, my name is Juniper Davis. I am the manager of Missoula County Parks, Trails and Open Lands program. I'm sharing a PowerPoint here. I just want to get an indication from you all with the thumbs up. Can you see it? We can see it. Ok, excellent, I'll get started. The city of Missoula has requested the transfer of 10 county owned parcels to the city for management by the city's Parks and Recreation department. The parcels will be managed for the public park for public parks recreational purposes. So this conveyance would transfer ownership as well as stewardship and maintenance responsibilities to the city. The city concluded that transferring these 10 parcels aligns with the Missoula Area Park masterplan and that it also aligns with past and future city planning efforts. So our program, the Parks and Trails Open Lands program, conducted background research on these identified parcels. We did a staff review, we looked at title history, we engaged with the legal review. Based on this analysis, our staff concluded that the majority of the parcels are dedicated parkland, with just a couple remaining that are generally held lands. But they have kind of open space characteristics, even though they don't quite have that parkland dedication restriction.

[00:07:11] So our twenty 12 Missoula County parks in Missoula County, Parks and Trails Master Plan recommends the transfer of responsibility of parks within the city limits to the city of Missoula unless there are some special circumstance why it would warrant retaining those parcels. So again, our parcel research found that conveyance of the 10 parcels to the city of Missoula is consistent with current policy. We discovered no known obstacles or concerns regarding the conveyance of these parcels, and we found that city stewardship and maintenance will likely increase the level of service of these parcels and would improve community engagement of parcels in the long term. So with that, I'm just going to give for the public's sake and for you, commissioners as well. A very quick overview of each of these parcels so that that can be on the record and we will go one by one. Initially, I have kind of an overview map here. You can see. I'm sure actually the detail is a little too small to really hone in on. But but essentially these parcels are spread throughout the Missoula Valley. The first parcel is a portion of Pleasant View Park. This is off of England Boulevard, just east of Holgate Elementary School. If you can visualize that the larger portion of the park is already in city ownership and the county parcel is just a small segment here off to the side, and that would be transferred.

[00:08:45] Next, we have Redfern Park. This is in the Canyon Creek subdivision. This is kind of south of I-90, north of expressway, if you can visualize that just east of the Airwave Boulevard exit. This has already been planned by the city. Last year, they received public comment and the neighborhood is very excited to see the city maintain and develop this park over time. The next we have is the L.A. Hamilton Park. This is encompassed in sort of some folks refer to it as the Tower Street Conservation Area. The city is now referring to it as the Clark Fork Islands conservation area. We actually have three parcels today that are in this kind of Clark Fork River Islands area. This is in orchard homes just to the west of the annexed part of the city. And again, as in this sort of River Island's floodplain area, this of the three parcels, this one is kind of off of the north end of North Grove Street. This next one is also in that same Clark Fork River Island area. This one is more so accessed off of Stone Street and then a third here again in the same River Island area that would be accessed off of Hibernia Street.

[00:10:11] And these are all surrounding and adjacent to existing city owned lands that are managed for conservation purposes out in these areas. Next, we have Boyd Park. This is west of Russell, just there near the fairgrounds, and this has actually been under city management for quite some time. We have an agreement with them. This would be just transferring the legal title ownership of the parcel itself. Next, we have the Rainbow Ranch trail connection. This is kind of a corridor connection in the very South Reserve Street area. This is south of Meadow Hill Middle School and folks in this neighborhood use this trail corridor to get safely to school and also around the neighborhood. You consolidate city ownership down there as well. Next and almost to the end, here we have Khanabad Park. This is up in the rattlesnake east of rattlesnake drive and just down from Lincoln Hills. This. We own, but has been managed by the city already for a number of years, so this would not change anything and management for the neighbors there. Up next, we have a parcel that is located in east Missoula. This is the mountain

jungle parkland parcel. This is the Hidden Trails subdivision and operates as a trailhead for residents and others to access jumbo. And I believe this is the final one.

[00:11:48] Let's see, the final here is this North Hills parcel. This is just north of I-90 and is part of already owned city lands in the North Hills Open Space Area. Some folks Waterworks Hill and North Hills and beyond kind of this general area. So with that just kind of moving us forward. So I want to let you know that the Missoula County Parks and Trails Advisory Board recommended approval of this action at their July 16 20 20 meeting, contingent on some public outreach in advance of the transfer. And so this past fall, we did some additional public outreach and we received no public comments during that time. The city of Missoula has taken this forward to City Council. They've approved acceptance and conveyance at this send. Back in February of this year. We've run public notice for this item today, and in summary, I just want to say that again, conveyance of these ten parcels to the city of Missoula is consistent with our current policy. We believe that the change in ownership will likely increase the level of service of these parcels and improve community enjoyment. So with that, we recommend you consider approving the quick claimed to convey these parcels to the students would be to be maintained for park or and or recreational grounds.

[00:13:18] Thanks, Juniper, appreciate it. Is there any public comment on this item? And if you're out there and want to comment and you're on your computer, go ahead and use the raise hand function, and I will call on you that way. Ok, see now close the public hearing any questions, commissioner

[00:13:39] Know this is probably a long time coming, right?

[00:13:43] Oh yeah, I guess it's worth adding that that. There are still parcels out there that might be worthy of conveyance to the city at some point, this doesn't resolve all of all of the issues surrounding county parkland that might arguably be managed by the city of Missoula, but nonetheless, this is a good step in the right direction.

[00:14:10] And thanks, Juniper. So I'm going to make a motion to approve that the board approved the quick claim deed to convey the 10 county owned parcels to the city of Missoula.

[00:14:23] I will second that any further discussion on the motion see none all in favor. Okay. Thank you, Jennifer.

[00:14:34] Thanks, Juniper.

[00:14:35] Appreciate it. Thanks to everyone's hard work on that, that's been a long time in the process. So our next public hearing, which I'll open, is going to begin with a staff report from Eric Dickson. This is a school zone for Sunset Elementary School.

[00:14:54] Oh, yes. Thank you so for the record, Eric Dickson, county engineer for the Public Works Department. Towards the end of twenty, Matt Knox, who is with the Sunset Elementary School

[00:15:09] Board, and Eric, just hang on a second. Juniper, could you please stop sharing your screen, if you wouldn't mind? There we go. Thank you. Go ahead.

[00:15:21] Sure. I will share mine to show everyone where we're at. So the Sunset Hill School is on Sunset Hill Road and Potomac, and Matt Knox on the school board contacted me late in 2020 with the request to upgrade some signs. There were concerns about student and parent and staff safety for an area so close to the Paws Up resort. And they get a lot of visitors, of course, and the school is kind of just what looks like a small building on the side of the road, but it is in fact a recognized school and

[00:16:04] Historic school,

[00:16:05] Very historic school. And and so when that made that request, it brought to my attention that we had never officially established, established a school zone in this area. And while that is not critical, we can certainly put up school zone signs to call out these school locations. The benefit to taking an action like this and establishing the school zone by a resolution is that it gives law enforcement the ability to double the fines for any enforcement that they may be taking in this area. And and it is, you know, again, it's a pretty low speed, low volume road, but it does stay with the practice that we have been establishing school zones for other schools in the county. So when that

request came in to upgrade the signage, I thought we, you know, we may as well go through this step to establish a school zone by resolution and give us those opportunities to call out the location of the school, allow law enforcement to increase their potential enforcement here. So the requirement in state law is that we work with the local school board when we establish that that that school zone and historically there have been kind of a set standard that recommended a school zone be established three hundred feet from the school property lines, that that guidance is no longer present and I think each site is considered individually. And with this location, I suggested to the school board that we simply establish a short school zone from the from this curve on Sunset Hill Road and go an equal distance on each side of the school.

[00:18:06] The reason being that for a lot of the traffic that comes out of Paws Up road, if we were to establish the school zone farther south on this curve that it would never be recognized for when those people come straight east out of Paws Up. So we established a relatively short school zone just in front of the school in a location where I think it best, best attracts acknowledgement from from that traffic and presented our explanation to the school board. And they did respond with a concurrence of that extent and with what signs we can install again without a without a school zone crosswalk, without a school zone speed limit. I mean, this is a gravel road. It's already posted at twenty five miles per hour. So I don't think there's a real need for a reduction in the speed limit in this location. So the most basic installation of school signs that we can use is just calling out the location of the start of the school zone, so all that information was provided to the school board. They concurred with that recommendation and I guess with this action would officially establish the school zone and would then give us the chance to install these signs and make Sunset Elementary School and officially recognized the zone within Missoula County.

[00:19:38] Thanks, Erik. Is there anyone from Sunset School in attendance who would like to speak today? Apparently not? Any questions Juanita?

[00:19:53] This is where I went, where I went to school and my mom and my grandfather and and I must admit Erik, I thought it had already been a school zone until Knox asked about the signage. So this has been.

[00:20:09] That's why I say. I mean, we could. We can put up the signs. We can say this is where the school limit is. This is where you can expect to see traffic and the students associated with the school. But with this resolution, it just provides that affirmative action to say Yes, this is the school zone. So it's a minor step and again, maybe not necessary, but I think gives that official recognition.

[00:20:34] Absolutely. Thank you so much. And yes, the whether it's recreation or paws up, it's significant traffic, well, significant for Greenough standards.

[00:20:44] Is there any other public comment out there on this proposal? Ok, see you then we'll close that public hearing, how about a motion we'll need to

[00:20:56] Make a motion to consider a resolution establishing a school zone for Sunset Elementary School on Sunset Hill Road? Is that the correct wording?

[00:21:06] I think we were actually moving the resolution. I want to.

[00:21:09] We want to make the resolution so that the RCA.

[00:21:14] Yeah. So the motion is to adopt the resolution, a resolution.

[00:21:20] So I motion to adopt the resolution for establishing the school. No sunset school.

[00:21:24] Excellent. I will second that any further discussion or comment on the motion see none. Let's go ahead and vote all in favor. Please say hi, I guess. Thanks to Sunset School now has a school zone. Ok, thanks. We will. We're blazing through this agenda. We'll move on to the next and final public hearing, which I'll open, and this is on the B and M Zoo Phase two. Request as it relates to phasing so I am having a heck of a time with my eye, rarely as of late have been in the office, so I'm working remotely most of the time. So trying to control the screen here is been a challenge. So it looks like is this Matt Heimel item? I'm just going from memory. There he is. Ok, Matt, talk about phase two of being B & M Zoo.

[00:22:28] Well, good afternoon, commissioners for the record, Matt Hymel here with Community Planning Services. So this request today is a it's a new subdivision process for subdivisions approved on or after May eight to twenty seventeen. So the hearing request is for commencing phase two of this subdivision. So it's B & M Zoo subdivision applicant has been B & M Zoo LLC, represented by IMG Corp., and they have submitted a notice of intent to file the final plat for B & M Zoo Subdivision Phase two. And the purpose of this hearing is to determine whether there are any change primary criteria, impacts or if there's new information that creates new, potentially significant adverse impacts for the phases, which would then warrant additional conditions of approval prior to phase two approval. So let me share my screen and I'll give us map and location. So B & M Zoo Subdivision is composed of thirteen point two nine acres east of Blue Mountain Road, a quarter mile north of Highway ninety three. So the preliminary plan for the overall subdivision was approved on January 11th. Twenty eighteen for the Nineteen Lot subdivision, which I could see my slide out. There we go. So nineteen lot subdivision with an internal road subject to twenty three conditions of approval. So phase one was for 11 lots and phase two being eight lots. And here is a exhibit with the current phase two request. The area in pink or purple is for phase two. Those eight lots? So phase one, the 11 green loss. Was granted a phase commencement phase approval on November 8th of twenty eighteen, with a condition to remove a removal of a crosswalk facility and curb on Blue Mountain Road right of way and is otherwise since been approved as compliant with the conditions of approval.

[00:24:44] Here are the primary impact criteria that we look at for a phased commencement request. We go back and look at effects on agriculture. Agricultural water use facilities. Exxon mobile services. Effects on the natural environment and wildlife and wildlife habitat. Effects on public health and safety. To look at compliance with survey requirements. Subdivision regulations and review procedures, provisions for easements with subdivisions for utilities and provision of legal and physical access, and all these criteria found that there is no new information that creates new, potentially significant adverse impacts. I will know in a staff report might see under seven provision for legal physical access. I did note a condition on that end, but the only condition of approval with this request is that it continues through the standard final review process. So if this phase two commencement is approved today, it does not necessarily mean that the phase can go ahead and get filed. It still needs to be reviewed for compliance with the conditions of approval. We review the plat and any associated documents, and so that is what the condition essentially requires. So staff is recommending approval of this request, and I am happy to take any questions from here. And Paul is also with us on the on the call today.

[00:26:13] Thanks, Matt. Mr Forsting, anything you would like to add.

[00:26:20] Paul Forsting here, I will just let you know that I'm here and available for any comments. This is probably a straightforward as a kind of request as we do that goes in front of commissioners. And so I don't need to make it any longer than the necessary. So thank you.

[00:26:35] Thanks. Is there any public comment on this item today? Ok. seeing none we will close the public hearing, Commissioner Vero. Any questions?

[00:26:47] Nope, also don't need to make this any longer than necessary. So I move that B & M Zoo phase to be approved as part of phase commencement based on findings and in fact in the staff report and subject to the condition of approval,

[00:27:03] Not have said that better myself. I'll second that motion any further discussion. See, none all in favor. Ok, that is done. So is there any other business to come before the commission today? Wow. Wow, so seeing none on this, it looks like in a half an hour period of time from the point of commencement until now, we have finished our business for today on April 1st, so I will say that we are adjourned. Everyone have a great April 1st. Thanks, Violet.