

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, JULY 21, 2022 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

[Click here to view the meeting recording.](#)

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:

Acting Chair Strohmaier

Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office

Dave Wall, Missoula County Auditor

Matt Heimel, Planner, Community and Planning Services

Nick Zanetos, Planner, Community and Planning Services

Brian West, Chief Deputy Civil Attorney, Attorney's Office

Chris Lounsbury, Missoula County Chief Administrative Officer

Mel Fisher, Strategic Initiatives Manager, Communications and Projects

Karen Baldrige, Property Records Specialist, Clerk and Recorder's Office

Steve Niday, Survey Party Chief, Surveyor's Office

Ethan Redfern, Construction Manager, Facilities

Vinnie Pavlish, Civil Deputy Attorney, Attorney's Office

Kyla Lehnerz, Administrative Assistant, Commissioners' Office

Erik Dickson, Transportation Engineer, Public Works

Anne Hughes, Missoula County Chief Operating Officer

Allison Franz, Communications Manager, Communications

Patricia Spotted Wolf, Administrative Support Specialist, Commissioners' Office

Arwyn Welander, Compliance Coordinator, Risk and Benefits

Karen Hughes, Assistant Director, Community and Planning Services

Tim Worley, Senior Planner, Community and Planning Services

Emmie Bristow, Community Engagement Coordinator, Communications

Glenn Ingram, Temp, Community and Planning Services

Sarah Bell, Grants Administrator, Community and Planning Services

Nancy Rittel, Grants Administrator, Community and Planning Services

1. **CALL TO ORDER** *[Time stamp – 0:09]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:29]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:58]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 1:08]*
 - a. [Proclamation: 32nd Anniversary of the Americans with Disabilities Act](#)
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 5:17]*
6. [CURRENT CLAIMS LIST](#) *[Time stamp – 11:42]*
Claims received as of June 29, 2022 to July 12, 2022 by the Commissioners' Office total \$2,790,880.03.
7. **HEARINGS**
 - a. **Water Main Extension – Cartage Road** *[Time stamp – 12:12]*
Erik Dickson, Transportation Engineer, Public Works

[RCA returned electronically to Erik Dickson]
 - b. **Road abandonment petition – Portion of Cottonwood Lane** *[Time stamp – 16:33]*
Karen Baldrige, Property Records Specialist, Clerk and Recorder's Office

[Petition denied by commissioners]
 - c. **Crisis Service Initiative – Open public hearing** *[Time stamp – 30:10]*
Chris Lounsbury, Missoula County Chief Administrative Officer

[Continued to August 4, 2022 Public Meeting]
 - d. **Country Crest No. 3 Lot 17 Minor Subdivision** *[Time stamp – 42:47]*
Nick Zanetos, Planner, Community and Planning Services

[Letter 2022-209. Mailed to: Aisling Properties]
 - e. **Scott Acres Minor Subdivision** *[Time stamp – 49:41]*
Matt Heimel, Planner, Community and Planning Services

[Letter 2022-214. Mailed to: Dane and Shannon Scott]
8. **OTHER BUSINESS** *[Time stamp – 1:02:00]*
9. **ADJOURN**
Acting Chair Strohmaier – Called the meeting to adjourn at 3:03 p.m.

BCC Public Meeting July 21, 2022– Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

0:02

I'm here two years that we've been working out such things.

0:05

So we'll eventually get the hybrid meetings figured out.

0:09

So, OK, I would like to call to order today's Thursday, July 21st meeting of the Missoula Board of County Commissioners.

0:17

I'm Commissioner Dave Strohmeier.

0:18

Commissioner Wanita Vero is joining virtually today.

0:22

Commissioner Josh Slotnick is unable to make it today.

0:25

So we do have a quorum of the Commission.

0:29

Please stand and join me in the Pledge of Allegiance.

0:34

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands visible Justice.

0:50

We may need to do that again.

0:52

That was a pretty weak showing out there.

0:54

But we'll we'll roll with it nonetheless.

0:58

Our land acknowledgement today, Missoula County, acknowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people.

1:08

We have one proclamation today to read.

1:12

This is on the 32nd anniversary of the Americans with Disabilities Act and given the sound problems that we're having, Juanita, I'll go ahead and read that.

1:23

If you're OK with it, please do, although there is a certain dramatic effect with your voice in the audio as it is right now.

1:32

So a proclamation of Missoula County, Montana.

1:36

Whereas disability is a natural part of the human experience and more than 12% of Missoula County residents live with one or more disabilities.

1:45

And whereas 32 years ago the Americans with Disabilities Act, the first comprehensive declaration of civil rights for people with disabilities, prohibiting discrimination based solely on one's disability status became law on July 26th, 1990.

2:03

And whereas the ADA has expanded opportunities for Americans live, living with disabilities to participate in the mainstream of American life, pursue employment opportunities, purchase goods and services, and be treated as equal and valued members of society.

2:20

And whereas Missoula County recognizes that more work is needed to realize the full potential of the ADA and to ensure equal access in all areas of life for people living with disabilities.

2:35

And whereas Missoula County recognizes that community participation by individuals with disabilities is vital to the success of our communities and remain steadfast in its commitment to principles of equality, the goals of the ADA and reaffirms its dedication to fully implement the ADA in all facets.

2:56

Now, therefore, we, the Missoula County Commissioners do hereby proclaim July 26th, 2022, as a day to commemorate the 32nd anniversary of the Americans with Disabilities Act in Missoula County, Montana,

and recognize the hard work and sacrifice of disability advocates and policy makers who have worked tirelessly to ensure that people living with disabilities have access to the same rights and opportunities as everyone else.

3:24

We encourage all citizens to keep the promise of the ADA, to strive for freedom, inclusion and opportunity for people with disabilities of all ages, and to commit to continue working toward a more just, accessible and inclusive community for future generations.

3:43

Signed Josh Slotnik, Juanita Vero, and Dave Strohmeier.

3:52

So, just by way of housekeeping, today we have three public hearings.

3:57

Actually, what am I saying?

3:59

Five public hearings for which we will be discussing and having public comment and some, In some cases we will be taking action today and others will simply be opening up a public hearing or public comment phase.

4:14

In all cases, we will begin with a staff report.

4:18

This will be followed by opportunities for the Commission to ask, ask questions.

4:24

There will be an opportunity for the public to make comment on each item that's listed as a public hearing, and then we'll close the public hearing.

4:33

The Commission will then have the opportunity to make a motion, discuss and vote on that item.

4:40

If folks are joining remotely, virtually through Microsoft Teams and you would like to comment, use the raise hand function please.

4:50

If you're on the phone, we will recognize phone callers and ask you to unmute yourself by hitting Star 6 and we will take you in the order in which your phone number appears.

5:03

And as with all of these meetings, we ask folks to keep a sense of decorum and also keep your comments as brief and succinct as possible, 3 minutes or less.

5:17

And finally, we will begin with an opportunity for public comment on items not on the agenda.

5:24

And so this is where members of the public, if you have anything that you want to talk about that is not already on the agenda, you can talk about that now.

5:33

If the item is already on the agenda, I will ask you not to comment on it right now, but only when we queue up that particular agenda item.

5:50

So I'll take public comment now on any items not on the agenda.

5:55

For those in the room, come on up.

5:59

And if you could please hit the the button on the microphone base to turn it green.

6:04

Should be a button there.

6:07

I'm kind of lost.

6:08

Whoa.

6:09

My name is David Everingham.

6:12

Thanks for the help the other day.

6:13

Dave.

6:15

I'd like to dedicate this meeting to my old friend John Ingen.

6:19

I hope he's fine.

6:20

And to the people like Dave, who devote their life to helping other people and serving the public as commissioner, and Juanita and Josh, thank you very much.

6:31

I got the deepest respect for all of you.

6:36

Today's topic is carbon footprints, a new butterfly building.

6:42

This is not a necessity.

6:45

An 80,000 square foot barn at the fairgrounds for 4H this is not a necessity.

6:51

Proposed Community Center Parks and Rec 55,000,000 This is not a necessity.

6:57

3 new hockey ice rinks planned Not a necessity.

7:03

Rodeo grounds on my public land.

7:05

This is ridiculous.

7:07

An antique 111 year old obsolete, outdated 120,000 square foot steel, concrete, granite limestone building that has no parking.

7:17

The Federal building.

7:19

What about global warming?

7:21

Seems as though this has been forgotten.

7:24

Where are we going to get the money for these projects?

7:27

I've asked to fix Lolo Street Bridge for two years.

7:31

It is rotting out.

7:33

Rebar is exposed on 100% of the north sidewalk.

7:36

Poor maintenance, if any, has contributed to this, but your answer is we don't have the money.

7:43

My taxes go up \$500 a year.

7:46

That increases the cost of housing for everyone.

7:49

Unaffordable housing.

7:51

I've asked to see the utility bill for the federal building for eight months.

7:57

City can't get it.

8:00

County can't get it.

8:01

I can't get it from the US General Services Administration Property manager Dan Hill.

8:08

He works out to hell and I did a tour of the building with him.

8:11

He said he didn't want to give me the bill until after the acquisition.

8:18

All these projects have massive carbon footprints.

8:24

You plan to have 400 employees in that building.

8:27

Where will they park?

8:28

Where will I park if I need to go there, I'll park in Frenchtown and hike in.

8:34

There are three giant new motels in downtown, a huge apartment building.

8:40

I don't see any planning for the future in any of these projects.

8:44

The driving force in the federal building is historic preservation.

8:49

Polar bears don't need historic preservation to survive.

8:51

They need ice and it's melting.

8:54

We, the taxpayers in Missoula County, have not had the right to vote on any of the projects.

9:04

We've lost our rights.

9:05

For information in Montana Constitution Article 2, Section 9, Right to Know.

9:11

No person shall be deprived of all public bodies or agencies of state government and its subdivisions.

9:18

Accepting cases which demand of individual individual privacy clearly exceeds the merits of public disclosure.

9:25

2-1-402 Legislative Declaration Montana, as one of sovereign states within the Union, has constitutional authority to enact laws protecting the environment of the state and safeguarding the public health, safety, and welfare of the citizens of Montana.

9:43

However, this authority has been too often ignored by the federal government.

9:50

We haven't had the right to vote on the \$15 million leveraged bond for the fairgrounds.

9:57

I suggest you get the utility bill from the US General Services Administration and share that public information.

10:04

We need transparency.

10:06

This is the whole idea of democracy.

10:09

This federal building deal is illegal.

10:12

We could build a new state-of-the-art super efficient smart building at the fairgrounds or the city owned Rail Link Park property.

10:19

They are centrally located and have plenty of room to park.

10:23

You could even have the commissioners offices with a view of Lolo Peak and the mayors.

10:28

Let's plan for our children and our grandchildren and stop unnecessary carbon footprints.

10:35

Dave, you're you're at 3 minutes now I have the right to know how we will pay for the yearly operating cost of that building.

10:42

I have the right to know we will pay for renovations.

10:45

I remodeled the County Courthouse for five years.

10:47

1911 is the the era of the federal building is total is the era of the courthouse.

10:54

The federal building is totally inaccessible.

10:56

It will all be labor intensive.

10:58

Proposed \$40 million will rent it for renovations.

11:02

Will not even cover half of it.

11:04

I'm appalled that there has been no planning for any of this, especially a carbon footprint study.

11:10

We need to know this or it could lead to legal ramifications.

11:13

Thank you very much.

11:16

Thank you.

11:16

Mr.

11:16

Everingham, is there any other public comment on items?

11:21

Thank you.

11:22

Any other public comment on items not on today's agenda from folks in the room?

11:28

How about folks joining virtually or via phone?

11:34

Any comment on items not on today's agenda?

11:39

OK, thank you everyone.

11:42

Our current claims list, and this is claims received as of June 29th of this year through July 12th by the Commissioner's Office, total \$2,790,880 and three cents.

11:58

If you would like to know more about what all of that adds, what what adds up to that including the three cents, go to the electronic version of this agenda, click on the current claims list and you can drill down into the claims.

12:12

As I mentioned, we have five public hearings today, so we will begin with one on Cartage Road water main extension and is Eric Dixon with us?

12:24

I am.

12:25

OK.

12:25

Eric, it's all yours.

12:27

All right.

12:27

Thank you.

12:28

So Imag Corporation is representing Carthage Warehouse, who is proposing a commercial development at the corner of Carthage Road and Sparkler Lane.

12:40

And let me share my screen so we can show you where that's at.

12:47

And and this is where we have a a bit of an error in the advertisement.

12:51

It was advertised that this is a city water main that is proposed for extension, but it is actually AY area sewer main that's a privately owned and operated system.

13:01

So I don't know if that is an issue.

13:04

So I I thought I'd point that out now and we'll get through this presentation if there are any concerns or comments about that, we can work through that at that time.

13:13

So anyway with this development, Cartage Warehouse is requesting that water main extension on Cartage Lane or Cartage Rd.

13:24

to provide service for their proposed development.

13:27

I May Corporation has received approval from Montana DEQ for the water main plans for that development.

13:35

And the reason that we're we're going through this process for a water main extension which is essentially going to be through a through an excavation permit is that Section 2.4 of the Missoula County Public

Works Manual requires that these extensions be expressly approved by the board of county commissioners before an excavation permit can be approved.

13:59

So that is the the purpose of this hearing that we're just going through our public process for our public works manual requirements and Mark Belong with I Made Corporation is on this call.

14:12

So if there are any technical questions, he is here to answer.

14:19

Thanks, Eric.

14:21

Mark, is there anything that you'd like to add before we open it up for comment?

14:28

Yeah, Commissioner Snowmar, so.

14:30

So this is a AY area water main extension and we've worked with the Y area water company and their engineers and we're extending AA12 inch trunk line out into Carthage Rd.

14:43

So this really is set up to serve more than just our project.

14:47

It's part of their future plan to serve the area.

14:50

And so it's kind of a little bit of synergy.

14:53

We work for the fire department.

14:54

We needed to get fire hydrants on both sides of the property and we probably could have got by with an 8 inch main.

15:00

But working in coordination with the Y area water system, we extended it, expanded the size to a 12 inch and we put it out in the cartage right away.

15:12

So everybody has access to it.

15:13

And also we'd like to have those valves and all the apprentices out in the right of way, so you know it can be tied in and operated from from that point.

15:23

So it really is is designed to serve this area with fire flows and industrial and domestic water.

15:32

Thank you.

15:33

Thanks.

15:33

Mark is there any public comment on the proposed water main extension even though I I was anticipating most of the folks here in the room were for that item.

15:45

But silence any questions or comments from folks online about the proposed water main extension.

15:54

OK, seeing none we'll close the public hearing questions from the Commission.

15:58

Juanita no, no questions this this makes sense and like Mark was saying that synergy and forward future thinking this is great project.

16:11

So, yeah, I'd I'd move to approve the water main extension on Carthage Rd.

16:17

I will second that.

16:18

Any further discussion on the motion seeing none.

16:21

All in favor.

16:22

Aye.

16:23

Aye.

16:24

OK.

16:26

Thanks Eric.

16:27

Thanks Mark.

16:28

Thanks.

16:29

Go forth and extend the water main.

16:33

Our second public hearing which I will open is related to a road abandonment petition on a portion of Cottonwood Lane.

16:41

Karen Baldrige.

16:42

Oh, that's not Karen.

16:47

OK, OK.

16:49

Steve.

16:49

Night a yes, Steve.

16:51

Night a Missoula County surveyor's office.

16:53

Dave, you thought the the crowd here was for the water main, though I think they're here for this road abandonment.

17:02

The petitioners presented abandonment petition to take care of what their needs were for expansion of a storage system.

17:15

Josh Slotnick and I initially did an investigation as required by law on June the 1st and our conclusion was that we should not abandoned that portion of Cottonwood Lane.

17:33

Unbeknownst to us, the lead petitioner, Carrie Sokolowski, had wanted to join us in that investigation and through a mix up in communication, he did not get to do so.

17:48

So we rescheduled a new investigation on site and Carrie was present for that.

17:54

And I believe she's present with us electronically today so she can speak for herself.

18:02

And in that meeting on site, we discussed the options available and all agreed that it might be in the best interest of everyone if we don't abandoned that right away for future needs.

18:19

And yet we could address the storage facilities needs by issuing an encroachment permit for half of that right of way.

18:29

That permit has actually been recorded as of a couple of days ago and our continued suggestion would be to not abandon that right of way.

18:46

So with that, I will let Carrie speak, Carrie and Carrie, if you could stake your full name, that would be great.

18:57

Yes, thank you.

18:59

Can you hear, can everyone hear me OK?

19:00

Yes, OK.

19:02

I'm Carrie Sokolowski and I am a property manager in Seeley Lake and I currently manage loan large storage on behalf of the owner Richard Steiner Junior and after meeting with Commissioner Slotnick and with Steve, we who were very helpful and we appreciate the site visit.

19:25

They presented some other possibilities and so as of this week, beginning of the week, I'm not sure what day that that they received it.

19:35

We have actually pulled our, we have rescinded our petition for abandonment and we are just trying to work closely with this with the county to look for other solutions.

19:48

And this possible encroachment permit is definitely a solution that would work for us and would not have a lasting impact on future use of that roadway should it be need for needed for traffic or infrastructure.

20:06

Thanks Carrie.

20:07

Much appreciated.

20:09

And I guess a question for staff.

20:11

We can still go ahead and take some public comment recognizing that the request from the petitioner has been pulled is as a result of that is any action required on the part of the Commission today.

20:26

There's nothing for us to take action on.

20:27

I don't think if it's been.

20:29

I don't know if if she can pull it or if we have to go ahead and act on the original petition.

20:41

Karen, do you have any insight?

20:46

County Attorney's office.

20:48

How about that, John, Presuming this is your intent, but OK.

20:57

Did you hear that, Carrie?

20:59

No we're not.

20:59

No, I wasn't able to hear.

21:00

Wouldn't hear it sound.

21:02

It sounds like from our Deputy County Attorney that the cleanest way for us to deal with this today would be to take up the item and vote to deny.

21:12

And that would, even though you've pulled it, there's some procedural questions as to whether anyway that that's the gist of it.

21:23

So it recognizes that that you're supportive of this thing, the original petition going away.

21:31

But the way that we do that formally today is by voting to deny.

21:35

So there's no way to resend the petition without actually voting on it.

21:40

Well, that was my original question.

21:42

It it, it both, it, it results in the same thing either way.

21:47

The, the right of way is not vacated.

21:50

Yeah, the petition was already recorded.

21:54

So I mean, it's in the public record and I do think it would be best if we just go ahead and abandon it.

22:00

And and like Dave said, making a more clean legal process for people in 100 years when they're looking back at this going, what the heck?

22:08

What happened?

22:09

Not abandoned the right of way, but the petition is what you're saying, Withdrawal, the petition.

22:16

OK, We will do that perhaps in just a moment.

22:19

So thanks, Steve, unless there's anything else you want to share.

22:23

No, I think this works for everyone.

22:25

OK.

22:26

Could I, I just wanted to say thank you to Commissioner Slotnick and to Steve for his work and for coming up here and meeting with us.

22:33

We did have some logistical issues, but they've been wonderful to work with and I really appreciate the opportunity and their suggestions on alternative solutions and for being so easy to work with.

22:47

So thank you guys very, very much.

22:50

Thanks, Gary.

22:50

We appreciate that.

22:52

So this is a public hearing, so I'll open it up.

22:54

If there are any members of the public, we'll begin here in the Sophie Moeys room.

22:59

If you'd like to comment on this item, come on up, state your name and share with us your thoughts.

23:07

My name is GAIL Gordon.

23:09

Hi, Carrie and she knows.

23:12

So the I live across the street from that road.

23:19

OK.

23:20

And I'm opposed to the abandonment idea because I see it as a wildlife corridor from where where I live outside my living room window per SE.

23:37

And the reason I think that that's important is if we fence off, which at this point is pretty much the entire block, because people have individual fences for good reason.

23:58

And there's a good reason why this man wants to fence his property too.

24:07

But I really am concerned.

24:10

I see everyday bears, deer, raccoons, you name it.

24:17

Not all in one day, but continually using this corridor, this abandoned, it doesn't get a lot of traffic.

24:30

I went down and measured the tree position of the the tree at the bottom of it that's been put there.

24:39

That says private property and pretty well cut off a lot of the travel through there by vehicles.

24:48

And it's a 53 inch tree, which is that's a little hard for R VS to go over or AT VS or anything.

25:04

Anyway, I just wanted to come in today and make my point.

25:11

I see children use that road they take.

25:16

They tend to take shortcuts and I'd hate to see it entirely fenced off.

25:26

OK, thank you.

25:29

Is there any other public comment on this item?

25:34

Steve Naday.

25:38

I just want to address what the lady just said in that there will remain a 30 foot wide unencumbered stretch of right of way for kids and animals to use.

25:52

It may not be the most convenient because of some brush and trees etcetera, but I think most animals will be able to move through that corridor.

26:05

If that tends to be a big problem and she sees that happening, I think I could speak for our Rd.

26:14

department in that we could come up and maybe clear a little bit of that brush to make it easier.

26:20

OK.

26:21

Thanks for that additional public comment.

26:24

Is there anyone else online who would like to comment on the road abandonment petition?

26:33

Carrie, thank you.

26:38

I just, I wanted to address Gail's concerns and I completely understand a lot of our subdivisions up here in Seeley Lake actually prohibit perimeter fencing for that very reason.

26:50

We are a wildlife corridor.

26:53

Our the fencing would only be on a portion of Cottonwood Lane, The other half of Cottonwood Lane where neighbors are already encroaching into Cottonwood, there would still be a corridor available.

27:07

I think as Steve mentioned, we would only be using a portion.

27:13

And actually once Steve came up and he put some markers in the ground, we discovered that the, the roadway is actually much further north than what we initially anticipated.

27:26

And the portion that we're looking at using is the very southerly portion, which would just provide us with a lower grade approach to the storage units which would be more usable by by customers.

27:39

One of the things that we're finding up here in City Lake is that last year our hotels, both of our hotels sold to Paws up.

27:47

One of those hotels included the purchase of storage units.

27:51

So we are very short on storage right now.

27:53

We have 2 vacant lots that we would like to develop and our goal is to help to provide a service in the community that's lacking right now.

28:01

We have a waiting list that has at least three dozen people on it that are waiting for storage units and I know that other people, other storage unit facilities that are in the area are in the same position.

28:12

So I I do understand Gail's concerns and I I think that she has very valid concerns about wildlife and we obviously don't want to do anything that would be detrimental to the neighborhood or wildlife.

28:25

We're just trying to figure out the most usable portion and it would only take a portion of Cottonwood.

28:30

The remainder of that would still be usable by wildlife or the adjacent neighbors.

28:38

Thank you Carrie.

28:39

Anyone else online who would like to comment.

28:44

OK see none.

28:45

We'll close the public hearing.

28:47

Juanita any questions no questions.

28:50

Just really appreciate Miss Gordon's and Sokolowski's and Night A's comments and and demonstration of solution finding.

29:01

So thank you all.

29:04

So I think the proposed motion is for denial of the abandonment.

29:10

OK, so I will motion that we abandoned A portion of Cottonwood Lane located in Section 3 Township.

29:19

Actually the the motion, unless you want to abandon it, I think the motion is to deny.

29:25

Oh, sorry, I'm.

29:27

I'm getting my negatives confused.

29:29

Thank you.

29:30

So deny to you could always make that motion and we vote against it.

29:34

But either way, I thank you.

29:39

I, I motion to deny the petition to abandon the portion of Cottonwood Lane.

29:45

Thank you.

29:46

Any additional discussion seeing none.

29:48

All in favor.

29:50

Aye, Aye.

29:52

Thank you, everyone.

29:53

All right.

29:54

Thanks.

29:54

Thanks, everyone.

29:56

Thanks, Carrie.

30:03

OK, our next public hearing, Siri was going off on my phone there.

30:08

Sorry.

30:10

It's brought to us by Chris Lonsberry, the Missoula County Cao and this is a proposed crisis service initiative and this would be to open a public hearing on the item today, Chris.

30:22

Thank you, Commissioner Sturmeyer.

30:23

So measure where on Tuesday of this week you were approached by a group of citizens for the Commission to consider placing on the ballot A initiative that they have begun around the idea of providing long term funding for some of the crisis services that the City of Missoula and Missoula County have been providing during the COVID-19 pandemic.

30:44

And so I'm going to give just a brief overview of some of the services that we're providing as well as the request from that citizen group and ask at the end that you open a public comment period that will run for two weeks until August 4th.

30:59

So as as most of you are aware, the COVID-19 pandemic created lots of opportunities for Missoula County to partner with individuals, service providers in Missoula County and city as well as the City of Missoula.

31:14

It's certainly highlighted many challenges that we face when dealing with our most vulnerable populations here in Missoula and around the United States.

31:23

Many of those stemmed from the houseless population and the houseless houselessness crisis that we're currently experiencing due to reduced shelter capacity, the need for what we call congregate settings, where folks are living together in close proximity to provide additional distance.

31:41

In addition to that, it certainly increased a lot of the stresses that our community felt due to closures,

COVID-19 cases, economic uncertainty, challenges in child care and others and it increased the strain on our first responders, victim services and medical systems here in Missoula County.

32:02

We were very fortunate that there were several initiatives taken by the federal government that helped to provide funding for many services.

32:09

Unfortunately those were all one time funds.

32:12

Missoula County and the City of Missoula joined together with non profits like the United Way Hope Rescue Mission, the YWCA Partnership Health Center and many others in the process of standing up those crisis services.

32:24

So some of those services include things like the mobile support team, which many of you have heard about.

32:29

This is a pairing of emergency medical technicians along with mental health providers to be able to respond to some of our vulnerable citizens here in the community.

32:40

In this case, that partnership occurred between the City of Missoula and Missoula County, recognizing resources that were available through the city fire department and partnership Health Center.

32:49

So far, that particular service has responded to more than 1511 calls in its first year of operation.

32:56

67% of those calls were for people who are already housed.

33:00

Of that 67 percent, 63% of those calls resulted in de escalation of the call, meaning that neither fire, emergency, medical or law enforcement resources were needed and they also resulted in diversions from the emergency department or hydro detention facility, which is unfortunately often where folks who are experiencing a mobile health or mental health crisis end up.

33:22

In addition to that, we started three, what I will call innovative shelter programs for folks who are experiencing houselessness.

33:30

The first of these was Emergency Winter Shelter.

33:33

The Emergency Winter Shelter is a partnership between the County of Missoula, Missoula City and the Poverello Center.

33:39

It served last year more than 500 individuals in its second year of operation, including more than 100 folks on its busiest night that stayed there.

33:51

This shelter is open during the extreme cold with a goal of making sure that folks do not pass away on our streets due to houselessness.

33:59

98% of the people who are served by the shelter are at what we call the extremely low income level and that is below the 30% of area median income.

34:12

The second one of those services that we were able to find partners to help stand up was what's we're referring to as the temporary safe outdoor space and this is an initiative that continues today.

34:23

This was a partnership between Missoula County United Way and Hope Rescue Mission.

34:28

It provided outdoor housing for approximately It is providing outdoor housing for about 40 individuals every day.

34:36

It provides assistance in connecting folks to services to help move them along the housing track and get them into permanent housing.

34:44

And to date, we've had more than 34 individuals who've moved into permanent housing from the temporary safe outdoor space.

34:54

The last one of those is our newest innovative service around houselessness, and this is the authorized camping site.

35:01

This is a community partnership between the City of Missoula and Missoula County with support from Partnership Health Center, the Poverello Center and many other providers in the community.

35:09

It's designated or designed to be a low barrier shelter, but there are still services provided on site.

35:15

It's an additional 40 campsites that can house up to four people per site and it connects people to

medical services, mental health services through partnership Health Center as well as tenancy support through our housing partners.

35:34

The next one I'd like to mention is the Crime Victims Advocate Services here in Missoula County.

35:39

This is a service that we have provided but has seen a dramatic increase, unfortunately in the need for services.

35:46

You're currently seeing a rise that has continued as even as the pandemic has waned.

35:51

They're serving over 1000 people who've sought services.

35:55

Those are unduplicated in fiscal year 22, which just ended on June 30th.

36:00

Their goal is to help uphold the rights of victims and promote victim safety through a variety of means and to increase trust in both the criminal and civil justice procedures.

36:12

And so this is one of many services that we've had to expand during the pandemic.

36:16

And those include diversionary services that are not listed here, such as the innovative county Attorney's program called Calibrate, which diverts people from the detention facility, as well as several other programs.

36:29

So right now the current funding model for this is that Missoula County and the City of Missoula have been using funding for these efforts from the American Rescue Plan Act, also known as ARPA.

36:39

The current funding that Missoula County and the City of Missoula are putting towards these projects exceeds \$5 million per year.

36:45

And that, unfortunately, is not a sustainable number as the ARPA funding will expire at the end of the current fiscal year for many of these programs.

36:55

And so citizen partners have come forward and asked that Missoula County and the City of Missoula consider placing before the voters a request to help fund some of those services in an ongoing manner.

37:07

So what I'm asking for today is for the county commissioners to consider opening a public comment period if you choose to open that.

37:14

We would take public comment in all of the ways that we normally do.

37:16

The first being that we would have a Missoula County voice page and that platform allows us and allows citizens to go read about the services that are being provided and then provide comments which will be aggregated into the site and then become part of the public record should the commissioners open the public comment period.

37:33

The other two methods are to directly contact the commissioners either through your e-mail address, which is BCC at Missoulacounty dot US or by calling the county Commissioner's Office at 406-258-4877 and that is the end of my PowerPoint.

37:51

But the formal request is to open a public comment period through August 4th.

37:56

OK.

37:57

So before we take up any public comment, Juanita, what do you think?

38:01

Would you like to make a formal motion to open a public comment period on this?

38:06

I think this is worthy of a public hearing.

38:09

So, yes, I would.

38:12

I motion that we open the public hearing on the crisis service initiative.

38:22

I'll second that all in favor.

38:25

Aye.

38:26

OK.

38:27

The public comment period is open and I would like to entertain comments from the public beginning with the Sophie Moeys room here today.

38:34

Is there anyone in the room who would like to comment on this proposed Crisis services initiative levy.

38:44

Mr.

38:45

Wall.

38:45

Good afternoon.

38:47

My name is Dave Wall.

38:48

I'm the Missoula County Auditor.

38:51

This is something I've spoken to you about just yesterday, I think, without knowing that this Crisis Services levy was even an option.

39:03

So I am.

39:05

I do work for Missoula County and my office is in the building next door, right on the corner of Ryman and Pine.

39:13

And we maybe all have noticed there's an increase in the population of folks that are kind of either in the in the courthouse lawn or more more frequently now on the sidewalk.

39:25

I think much of that is because that open sidewalk right there, it's within sight of the Police Department, the Sheriff's Office.

39:33

So it for people especially sleeping it might be a a safe space or at least seem like a safe space but probably is a safe space and we haven't had you know problems with it and sometimes there's some coarse language and and people are loud we we do occasionally get some fights out there but it's it's kind of the the new reality I I completely reject any explanations about our increasing population based on blaming those people.

40:07

I think they are the most powerless people in our community, the most marginalized.

40:13

I don't know any of their life histories, so I'm not going to assume that they simply don't want help or anything like that.

40:20

I think it's nonsense.

40:23

I also know that for everybody else here downtown, the the presence of these folks can cause some trauma for us too, as we try and navigate the sidewalks and and go through there.

40:35

So this is a, this is a situation that is really deleterious to these very, very poor people who deserve to get help and also for everybody else in the community.

40:48

Lately, while many services that government provides that use force in a military, law enforcement, etcetera, have been either rising or staying stable, social services have been decreased in budgets all over.

41:04

And we've seen that I think in the state of Montana quite a lot forcing local governments to do something.

41:11

A lot of what we do in those social services now are grant funded or we're using ARPA to to try and do these.

41:17

And that's just not, that's not sustainable.

41:20

Grants go away.

41:22

They are also competitive.

41:24

And so we might not always have those funds.

41:27

And I think it's very important to have hard funding for these social services so that we can start to really reduce, if we can, the the population of people who are in this situation, which will help these folks get a new start on life and also hope help everyone else with enjoying themselves in downtown again.

41:50

So I would be in favor of this.

41:53

Levy, thank you for letting me speak.

41:57

Thank you, Dave.

41:58

Anyone else in the room who would like to comment on this?

42:06

OK, we'll go online.

42:08

Is there anyone joining via Microsoft Teams who would like to comment?

42:13

Please raise your hand electronically.

42:17

OK.

42:19

So the public hearing will remain open until August 4th and we will have an opportunity between now and then for folks either to submit comments as was displayed either earlier, e-mail, phone or show up at the next iteration of the public hearing in person or join us online and comment then on August 4th.

42:43

All right, thank you everyone.

42:45

Thank you, commissioners.

42:47

Our fourth public hearing today moving from services such as mental health and and Human Services to land use.

43:00

We are going to have a presentation by Nick from Community and Planning Services on Country Crest #3 lot 17 minor subdivision.

43:12

Thank you Davis.

43:12

Let me get my nose up real fast and we're going.

43:14

OK, all right, yeah, this is the country Crest #3 minor subdivision.

43:36

Sorry, Country Crest number three loss of a teen minor subdivision.

43:41

The applicant is Eyes Lane Properties and the Rep is WGM.

43:46

Start with a just a quick overview.

43:49

So the proposed project is in the Mullin area off of Buckhorn Lane.

43:53

You can see the proposed project site and turquoise here in the upper left hand corner.

43:59

You get there via Buckhan Lane and then it is about a .38 miles north of Mullen Rd.

44:06

The zoning for the Pro's project at the time of Sub Vision review was CRR 2 with the news on with the new zoning update that just occurred.

44:16

Any future projects will be reviewed under RRS .5 which is very similar, but for the purposes of our review we reviewed the project under CRR 2.

44:25

The land use element that covers this area is the 2019 Lane New Settlement and the designation is residential.

44:36

But looking at the on site conditions as they are now, the property is 1.17 acres in size.

44:44

There's currently one home on property and it is accessed via the end of Buckhorn Lane.

44:52

So the the proposal is just for a 2 lot split that would result in two lots with lot 17 A being .64 acres in size and Lot 17 B, which would be the existing home, is .53 acres in size.

45:11

The project was compliant with all CRR 2 zoning requirements as well as compatible with the 2019 Land Use Element destination of residential looking at impacts to local services.

45:26

So all lots are served by individual wells and the proposal is to connect to City of Mozilla contract sewer.

45:34

The existing house is already on contract sewer and they have approval for the proposed new lot as well.

45:39

For sewer there will be a new approach via Buckhorn Lane for the proposed new lot.

45:45

Then being that it is a minor subdivision, there is no Parkland dedication requirements and no sidewalk infrastructure requirements as well.

45:54

It is in Missoula Rural Fire District boundaries.

45:57

There are conditions related to fire sprinkler requirements and driver review that are being proposed.

46:02

And then the the sheriff office is the local law, local law enforcement that's to serve this area.

46:11

There's no comment received by agencies when sent out for review and we also did not receive any comments from the public as well.

46:16

We notified them via mail on July 5th and there was also posted on Council Accounting Voice some important conditions approval to know the aforementioned fire sprinkler requirement.

46:30

There was a well isolation zone easement requirement as well.

46:35

I had received this prior to the Governing Body packet being published, so we left the condition in.

46:41

But this is satisfied with with the document that I received post packet being published.

46:46

And then the last three conditions all revolve around language to amend the covenants just to make it more clear for future law owners.

47:00

And in conclusion staff is recommended approval and there are 1212 conditions in total.

47:05

And I believe Jamie is online if you have any further questions.

47:09

Thanks Nick.

47:10

Jamie, would the applicant's representative like to say anything Commissioners?

47:16

Yes, thank you.

47:18

Thank you Nick for that summary.

47:20

The only one comment that I do have is that the existing residence is currently on an individual drain field.

47:26

However upon sorry I have a monitor going off upon filing the final flat, the existing residence would connect to city sewer.

47:36

There are two available stubs though within Buckhorn.

47:42

OK, thank you.

47:44

Is there any public comment on the proposal?

47:50

Any public comment?

47:54

All right.

47:55

Questions.

47:57

Juanita, do you have any questions?

47:59

No questions.

48:00

I'm just delighted when a proposal's compatible and compliant.

48:03

So Jamie and Nick and everyone, thank you so much.

48:08

So I do have one question.

48:11

Country Crest #3.

48:13

So this is a re subdivision of some of a subdivided chunk of land.

48:22

So in in in the, I guess, parent country Crest number three, Were there no, which I'm assuming was a major subdivision.

48:34

Were there any requirements for sidewalks in that or not?

48:40

County standards were different.

48:42

Yeah.

48:42

But I don't believe the standards at that time required em.

48:46

I could be wrong.

48:47

I think it was early 2000s error subdivision.

48:50

Jaiman know a little bit more about that than I.

48:52

Yeah, You're concurring with that, Jamie.

48:55

Yeah.

48:56

Yeah, I do concur with that, Dave.

48:57

There are no sidewalks out here in this area.

49:00

OK.

49:02

All right.

49:04

I don't have any other questions.

49:06

So the motion is before us there.

49:09

What do you think, Juanita?

49:10

Yeah, I will move to approve the County Crest #3 lot 17 minor subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval in the staff report.

49:24

Second, any further discussion seeing none.

49:27

All in favor.

49:28

Aye.

49:29

Aye.

49:30

OK.

49:31

Thanks, Jamie.

49:32

Thanks, Nick.

49:33

Thank you, commissioners.

49:34

Thank you, Nick.

49:36

Thank you.

49:41

Next we have Matt Hymel from Community and Planning Services bringing before us Scott Acres Minor Subdivision.

49:49

Shaking things up today, Matt, it's usually a family transfer, but very good.

49:56

No Family transfer today.

49:58

Just another minor subdivision.

50:01

Matt Hymel here with the Missoula County Planning Office.

50:04

I have a PowerPoint for Scott Eggers that I'll load up momentarily.

50:08

OK.

50:30

OK.

50:30

So I will provide a overview of the staff report that's in the packet.

50:35

If at any time there's some questions or commissioners, if you'd like some clarification, please feel free to ask for that.

50:42

So this is the Scott Akers Minor subdivision.

50:45

The applicants are Dave and Shannon Scott represented by Wythe Engineering.

50:51

The property is at 7000 Mormon Creek Row, which is about one mile South or southwest of Lolo and is half a mile West of Hwy.

51:01

93 S along Mormon Creek Rd.

51:03

And this 1.95 acre property is proposed to be divided into two lots.

51:09

It is unzoned and as I'll describe in a little bit of the Lolo Regional Plan describes the property as suburban residential and staff is recommending approval of the subdivision.

51:21

The staff report has 13 recommended conditions of approval.

51:25

However, I will have a note that we're recommending actually deletion of one of those, which I'll get to in a in a few minutes.

51:33

So here's a broad aerial map showing the location of the property highlighted by that yellow star on Orme Creek Rd.

51:39

So the property is in an area that has seen some increased residential development in recent decades.

51:45

It's, as I said, southwest of Lolo, just South of West Fork of Lolo Creek.

51:50

I will know that there is no floodplain on the property nor there areas of riparian resources West of Hwy.

51:55

93 S South of Hwy.

51:57

12.

52:01

And here is a closer image showing the general vicinity of the area along Mormon Creek Rd.

52:07

With Sapphire Drive to the South.

52:09

So they're surrounding single family residential use in addition to some mobile home parks.

52:16

And here is a map, the same map but with an overlay of the land use designations for the area.

52:21

And as you can see there's a, there's a healthy mix of land use designation.

52:24

So the property itself is described as suburban residential and to the directly to the South it's actually slightly higher density residential designation.

52:38

And then as we get closer to Hwy.

52:39

93 S to the east, we have a commercial land use and just some notes on zoning and growth policy compliance.

52:47

As I said, the property's unzoned.

52:49

And here I have a few goals from the applicable plans.

52:53

So Lolo regional plan recommends 1 to 1 unit per acre and that's to reflect existing patterns and transition areas with lower densities and also plan housing that meets needs, respects capacities and recognizes the limit.

53:06

So this meets both those points and in the county growth policy.

53:10

We have a couple goals that are also applicable to this proposal, which are protecting rural character by guiding development to areas that are more suited for subdivision and also guiding subdivisions to areas that had the least impact on that natural resource that are most suited for that growth.

53:30

Here's another aerial image showing a bit closer view of the property.

53:35

We can see it's developed with one single family residents with direct access on the Mormon Creek Rd.

53:40

and with some adjacent residential use as well.

53:44

So this image is from the submittal.

53:47

It shows the schematic of existing conditions for the property.

53:50

As I said, there's one house with one shed and a accessory structure.

53:55

There are two existing approaches on the Mormon Creek Rd.

53:57

one for the house and one for the accessory structure.

54:01

There's some landscaping around the house, but otherwise the vegetation consists mostly of of grasses.

54:06

There are utilities in the Mormon Creek Road right of way, which I believe consists of buried fiber, buried gas, and overhead power.

54:14

And we have two domestic wells and two existing septic systems.

54:18

Both are permitted with the city County Health Department.

54:22

This image is a excerpt from the preliminary plat.

54:25

If there's any details that you'd like to look into, please just let me know and I can load up a separate file of the of the plat itself and and zoom in so I have a few highlighted notes here first.

54:38

One item I'd like to point out is that any new home and then the subdivision will have sprinklers in installed for fire suppression.

54:46

The Community Wildfire Protection Plan does designate this area with a high wildfire risk.

54:54

However, Missoula Rural Fire District did conduct A wildfire hazard assessment, and that assessment pulls in some factors like such as building type, fuel levels, and the topography for the property.

55:04

And based on that assessment, the wildfire hazard rating is below a moderate ranking, so wildfire hazard standards do not apply.

55:11

Although the the proposed covenants do have some defensible space for recommendations as as well, they're going back to the proposal notes we have a dedication for a private access seizement to adjacent lots on the north.

55:25

Lot 2, which is .9 acres will utilize an existing septic system on Lot 2 of course.

55:32

And one item which we noted during the BCC caps update on Monday is that the existing septic system is permitted.

55:40

Although according to the applicant's representative, it's not actually connected or in use by the accessory structure.

55:46

And we're also seeing a repurposed existing well for Lot 2 that will serve a new domestic use.

55:53

And I have a note about a condition relating to that well as as well in in a few minutes and then on the South Central part of the plat we see a dedication for private access easement for shared approach.

56:06

So Lot 2 will have access to Mormon Creek Rd.

56:10

via a shared driveway easement.

56:13

And that is because due to the about 111 foot frontage on Mormon Creek Rd.

56:19

an individual approach would conflict with the public works manual for distances between existing approaches.

56:24

So we're going to see conversion of that accessory structured driveway to be a shared approach on onto Lot 2 the minute seem to have frozen there we go.

56:39

So on this slide I have the primary subdivision review criteria and I'd like to point out just summarize the conditions of approval.

56:46

We do not have conditions for every one of these criteria, but in general we have a first condition for a substantial compliance with their preliminary plat if that is approved today and we have a condition to clarify water rights for the property.

57:03

One condition related to clarifying the an amendment section of the of the covenants for what requires governing body approval going back to this image.

57:14

So on under roads, we have a recommended condition that will prohibit direct access for Lot 2 onto Mormon Creek Rd.

57:20

Really and ensuring that it will use that shared access and not directly access Mormon Creek Rd.

57:29

Also requirement for new driveways to be paved requiring the private access easements that I noted to be shown with meets and bounds on the final plat.

57:40

We have a standard condition for grading and drainage that the public works department review a grading and drainage plan.

57:47

We have three conditions related to the fire suppression, one of which is formalizing that requirement for sprinklers to be reviewed by Mozilla Rural Fire District at the time of building permit review.

58:00

And then there are there's a condition for including aspects of fire suppression in the covenants such as driveway length and and turnarounds.

58:09

And the fire suppression plan for the subdivision included all of the compliant information that we would need and the condition under this item really will memorialize those in into the covenants and then finally a condition related to review an approval of a weed management plan.

58:28

And as I said earlier, there's a a condition that we're recommending to have it deleted.

58:33

So we have a a recommended condition that requires a well isolation zone for the repurposed well.

58:40

And after sending the staff report to the applicants, Representative Matt Hammerstein with Wythe Engineering contacted me to take issue with this to say that it's not fully necessary.

58:52

And I did contact the Environmental Health Department and confirm that when there is a existing all that's

being repurposed, we don't necessarily need the well isolation zone easement and this does exceed what will be required through sanitation review, so this is not necessary.

59:09

So we are recommending that this condition be deleted and the recommended motion for the subdivision does reference a amended set of conditions of approval.

59:28

That concludes my my presentation, Commissioners.

59:31

I'm happy to take any questions and the applicants representative is also available today.

59:35

Thanks, Matt.

59:36

Would the applicants representative like to say anything to us?

59:41

Yeah, Matt Hammerstein with Boyce Engineering.

59:44

As usual, I think Matt and Caps do an excellent job with their presentations.

59:48

So really just here for questions.

59:52

OK, thank you it and I think public comment may be a little thin.

59:57

So hang on up right there.

59:58

And I have a question for you.

59:59

Is there any public comment on Scott Acres proposed minor subdivision?

1:00:07

OK, seeing none, we will close the public hearing.

1:00:12

So my question relates to and I asked something similar earlier in the week when we had an overview of this on Monday.

1:00:21

So for the LOT 2 septic system that was depicted on the on the schematic earlier, it is permitted but not built.

1:00:33

Is that or is there actually a system in the ground right now?

1:00:38

Yeah.

1:00:38

So it was 2008, it was permitted and then sometime I'm guessing shortly after that it was built, it was installed, it's not connected to the shop.

1:00:48

And I don't know what the history of that is, why it fell through.

1:00:51

And if I had to speculate, I would say that they were going to install plumbing in the shop and somehow it fell through.

1:00:57

So that's the history I know of it and it is there, it's ready to go.

1:01:03

So with a system like that's that that's not been used in so long, do you anticipate that, that's that it's plug and play, so to speak, or would it?

1:01:15

Yeah.

1:01:15

So as part of the sanitation review, it'll actually have to be pumped the septic tank just to make sure that there's nothing in there.

1:01:21

There shouldn't be.

1:01:24

He'll have to.

1:01:24

That'll be in the health department's review.

1:01:27

OK.

1:01:28

And then, yeah, the laterals, they probably never been used for anything.

1:01:33

So they should still function.

1:01:36

OK.

1:01:37

Thank you.

1:01:38

Juanita, any questions?

1:01:40

Yeah, well, they exist.

1:01:42

Excuse me, The existing well, what was it just abandoned or or was it, what was the intention of the existing well before?

1:01:55

Yeah, now it's going to be repurposed.

1:01:56

But yeah, I believe historically that was used for irrigation for all of that kind of range land grass northwest of the shop there.

1:02:06

OK.

1:02:06

OK.

1:02:07

Thank you.

1:02:11

And I no further questions.

1:02:14

OK.

1:02:14

Matt, do you want to queue up the motion again?

1:02:21

There it is.

1:02:21

What do you think, Juanita?

1:02:23

I think it looks great.

1:02:24

Thank you so much, Matt and everyone.

1:02:27

I move to approve Scott Acres minor subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval in the staff report as amended.

1:02:38

I will second that.

1:02:40

And as amended means the deletion of condition #12.

1:02:44

Any further discussion?

1:02:46

Seeing none.

1:02:47

All in favor.

1:02:48

Aye, aye.

1:02:50

OK.

1:02:51

Thank you.

1:02:52

Yeah.

1:02:52

Thank you and thanks, Matt.

1:02:55

Is there any other business to come before the Commission today?

1:03:00

Seeing none will be adjourned.

1:03:01

Thanks, everyone.

1:03:03

Thanks, everyone.

1:03:04

Thanks so much for chairing, Dave.