

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, SEPTEMBER 15, 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:

Chair Vero
Commissioner Strohmaier

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Chris Lounsbury, Missoula County Chief Administrative Officer
John Hart, Civil Deputy County Attorney, Attorney's Office
Mel Fisher, Strategic Initiatives Manager, Communications and Projects
Steve Niday, Survey Party Chief, Surveyor'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
Emmie Bristow, Community Engagement Coordinator, Communications
Carey Powers, Communications Coordinator, Communications
Chet Crowser, Director, Community and Planning Services
Shane Stack, Director, Public Works
Garrick Harmel, Housing Specialist, Community and Planning Services

1. **CALL TO ORDER** *[Time stamp – 0:05]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:14]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:14]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the
Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:38]*

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA *[Time stamp – 0:38]*

6. CURRENT CLAIMS LIST *[Time stamp – 0:47]*

Claims received as of August 31, 2022 to September 6, 2022 by the Commissioners' Office total \$914,305.54.

7. HEARINGS

a. Initiate Hearing – Missoula Local Government Building Special District *[Time stamp – 1:11]*

Chris Lounsbury, Missoula County Chief Administrative Officer
Mel Fisher, Strategic Initiatives Manager, Communications and Projects

[Resolution 2022-097 Book: 1081 Page: 1174]

b. Resolution – 35 MPH Speed Limit on Kona Ranch Road *[Time stamp – 4:11]*

Erik Dickson, Transportation Engineer, Public Works

[Resolution 2022-096 Book: 1081 Page: 1175]

c. Open Hearing – No Parking Resolution on North Ave *[Time stamp – 13:15]*

Shane Stack, Director, Public Works

[Continued to October 6, 2022 Public Meeting]

d. 2nd Hearing – Road Abandonment Petition – Bitterroot Road Right-of-Way *[Time stamp – 21:31]*

Patrick Swart, Property Records Specialist, Clerk and Recorder's Office

[Continued to November 3, 2022 Public Meeting]

e. 4th Hearing – Road Alteration Petition – Bitterroot Road Right of Way *[Time stamp – 24:22]*

Patrick Swart, Property Records Specialist, Clerk and Recorder's Office

[Continued to November 3, 2022 Public Meeting]

8. OTHER BUSINESS *[Time stamp – 24:50]*

9. ADJOURN

Chair Vero – Called the meeting to adjourn at 3:27 p.m.

BCC Public Meeting September 15, 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.

BCC-Commissioners' Public Meeting-20220915_150137-Meeting Recording

0:05

We'll begin with the pledge, I'm sure.

0:12

Yeah.

0:14

Pledge allegiance to the flag of the United States of America, the Republic for One Nation, God, divisible, Liberty and Justice for Thank You and Missoula County acknowledges that this event in the Sophie Moise Room takes place on the Aboriginal territories of the Salish and Kalispell people.

0:38

Is there any public announcements or public comment on items not on the agenda?

0:47

Our current claims list as of August 31st, 2022 to September 6th, 2022 is \$914,305.54.

0:58

We have 5 hearings this afternoon and we'll begin with Chris Lounsberry with our initiative Initiate hearing.

1:06

Is that how initial, Initial.

1:11

Yeah, initial hearing for special district, for local government building.

1:19

Thanks commissioners.

1:19

So Chris Lansbury, the Chief Administrative Officer for Missoula County.

1:22

So what we're here today is to ask you to open a public hearing, the initial public hearing on the creation of a special district, which will be used as the vehicle to transfer the federal building to the control of Missoula County and the city of Missoula in partnership.

1:36

So as you know, we've been working for the last couple of years with the federal government and the National Park Service to have the federal building turned over to local government for local government use as part of the national parks process, as a historic monument.

1:51

As part of that process, we need a single entity to be the owner of that building.

1:55

And that's what this special district will do, is create a single entity that's controlled by the county and the city jointly to actually hold physical possession of the building itself.

2:05

And so this special district only encompasses the federal building itself.

2:09

It does not encompass any other property other than the Federal building.

2:13

So not the lawn around it or what the parcel that includes the Federal Building, yes.

2:17

Yeah.

2:18

But it's the, it's the Federal Building itself.

2:19

So that that piece of land on which the Federal Building itself sits, which includes the parking lot and the grassy area just like a regular lot, OK.

2:27

Although obviously it's several lots in order to do that.

2:30

But it basically in covers encompasses the the land footprint that is the Federal building at 200 E Broadway.

2:37

And so with this initial hearing you, you the way the special district process works is we need to have an initial public hearing and you'll hold the public comment period open for the required period of time.

2:47

And then we will close the public hearing.

2:49

And then you'll pass the after this initial resolution that goes with the first public hearing.

2:54

There'll be a second resolution when you close the public hearing.

2:57

For it and then and then an opportunity to adopt the special district.

3:02

And so this process is happening in parallel with the city of Missoula.

3:06

So this has been referred to committee there.

3:08

And then we'll go out for them to start their public hearing process at I believe, Monday's City Council meeting.

3:16

OK any comment, questions, don't see anyone online or on the phone either.

3:30

OK.

3:31

It's open.

3:32

Yes.

3:32

And so the motion would be to adopt the, yeah, the resolution for the, the initial public, the resolution for the initial public hearing would be the motion today.

3:41

It's a, it's a little different than what you typically do.

3:44

So there's actually a resolution for there is actually a resolution.

3:47

I would move exactly what Chris said.

3:51

OK.

3:51

Second, any further discussion or comment?

3:57

OK, All in favor.

3:58

Aye.

4:01

Thank you.

4:02

OK.

4:03

Eric Dixon with Kona Ranch Rd.

4:06

Speed limit.

4:10

Yes.

4:10

Good afternoon.

4:11

Eric Dixon, county engineer with the Missoula County Public Works Department.

4:16

In October of 2021, our office received a request to lower the speed limit on Kona Ranch Rd.

4:25

which is currently posted at 45 miles an hour and remove the allowance of a two way passing zone.

4:33

We completed a We completed an engineering investigation in December of last year that did not recommend an engineering justification for the requested considerations.

4:46

After that a petition was received by the Board of County Commissioners that again requested the speed limit be re examined and the allowance of a passing zone be reconsidered based on safety concerns with increased traffic speed and volume.

5:05

So that's the the purpose of this hearing.

5:08

It's in response to that petition that was received by the Commissioner's Office.

5:12

So we do have the original engineering report included for review and the petition itself.

5:21

So we'll keep it brief and open, open the, the, the, the discussion.

5:31

Thanks Eric.

5:32

Actually, let me, let me share my screen just so we can show everyone that's with us where where we're talking about in case they're not familiar with it.

5:40

So I guess I could give a little a little better history.

5:43

So Kona Ranch Rd.

5:44

is about 5 miles West of Missoula off of Mullen Rd.

5:48

It connects Mullen Road to Big Flat Rd.

5:52

Now it's about 1.3 miles long.

5:54

It was constructed in the mid 1980s by the Montana Department of Transportation as a replacement for the Harper's Bridge Rd.

6:02

crossing, which the bridge at that time was deemed unsafe.

6:06

So this new crossing of the Clark Fork River was provided.

6:11

So that's the the history of of when it was constructed.

6:15

Again, it's posted at 45 miles an hour currently.

6:19

To my knowledge it has been posted that way since it was constructed in the mid 1980s, but I'm not entirely sure of that.

6:27

I believe there are others in the in the neighborhood there that may have a a little more knowledge of how that road developed and and what the speed limits have been since they probably live there as long as that roads been in in existence.

6:43

So I guess if if that's enough of a of a history, we'll I'll leave it at that.

6:53

Thanks Eric.

6:55

Do we have any other staff who want to present on this or discuss this and I can't tell who's on the line would are there any comments on this with the petitioners or anyone in the room?

7:15

And Eric when was that study done that so we we received the request in October of last year.

7:25

We we had the time and it actually completed it completed the data collection in October and November, completed the report in December.

7:34

And and again that that report for for current engineering standards, we couldn't justify A reduced speed limit on that road.

7:44

You know it's it has wide travel lanes, they're they're 12 feet long, 12 feet wide.

7:50

We have 5 foot wide paved shoulders.

7:52

It's relatively straight and level.

7:56

There were over over an 8 year.

7:58

There were 16 accidents.

8:01

There was nothing really that showed a cluster indicating that there was one location that was a problem.

8:07

They were generally spread out over the the 1.3 miles of the road.

8:11

So based on our our engineering information there there wasn't a good justification to say that that speed limit was inappropriate.

8:21

We we collected speed speed data and actually it you know it's posted at 45 miles an hour but in in

certain parts I can I can pull that up here the the speeds there you can see make that a little larger so you know in in November of 2021 those are the travel speeds so between big flat and Clark Fork river you know eastbound 51 miles an hour westbound 56.

8:55

So even with that posted speed limit of of 45, you know the the generally accepted method for determining a speed limit on an existing Rd.

9:06

is to use the 85th percentile.

9:09

So when we're posted at 45 miles an hour right now, you know these these speeds that are shown for the actual travel population.

9:19

You know a speed limit of 50 miles an hour could very well be justified based solely on that typical practice of using the 85th percentile speed.

9:29

But it will be the engineering data that we use doesn't necessarily account for the social impacts, you know some of the the concerns of the neighborhood.

9:41

So that's why you have the opportunity through Montana Code Annotated that gives you the chance to lower that speed limit without the benefit of the engineering investigation.

9:53

And you can just make that decision administratively to lower that speed limit if you so choose.

10:02

Thanks.

10:04

And I think, no, I'm sorry I'm jumping ahead.

10:11

I I feel like it would be great if we could be responsive to the neighborhood and the community and there are concerns that there wasn't there a a couple times where a child was hit.

10:24

Am I exaggerating or misremembering that no.

10:28

Of of of those of those 16 accidents, two involved pedestrians one.

10:33

One was a child crossing the road to get to the school bus, another one I don't have a lot of details on.

10:38

All I know that it was in 2020 in the summer at 1:00 in the afternoon, which could very well be attributed to the popular nature of the river access and the the pedestrians and the and the conflicts with vehicular traffic.

10:57

So of the 16 accidents in in eight years to involve pedestrians, yes.

11:01

OK, I'd be fine with Lauren, even though it's a well engineered road and it's flat and straight and everyone wants to drive fast, but there's a lot of people there.

11:11

So bring promotion.

11:15

Sure.

11:16

OK, helpful.

11:20

You have comment Is there any comment I guess not yeah I I concur based on the public testimony that we've heard in prior meetings regarding this stretch of road and folks perception that this is a possible solution to some of the problems they're seeing out there.

11:45

I would support lowering the speed limit and eliminating the passing zone.

11:50

So I would move that we adopt A resolution establishing a 35 mile per hour speed limit and eliminating passing zones on Kona Ranch Rd.

11:59

Second, any further discussion, public comment, I would just want to thank folks who participated in bringing this before us.

12:11

And also even though it's not clear if anyone from the public out there who is interested in this is joining us today.

12:19

I would just say, as I think we probably said in the past in the spirit of tempering expectations a little, this does not necessarily mean that we're going to have increased law enforcement presence out there to ensure that folks are held to this 35 mile per hour standard.

12:39

Hopefully, there will be those folks who have their own accord recognize the speed limit has been lowered and will drive slower.

12:48

And there's other things that we can do to try to encourage folks to drive slower.

12:52

But this does not necessarily mean there's going to be a sheriff's deputy parked on Kona Ranch Rd.

12:58

every day to keep folks in line.

13:04

Thanks, Dave.

13:05

All in favor?

13:06

Aye, aye.

13:08

Thank you so much, Eric.

13:09

Thank you.

13:10

Thank you.

13:15

OK, we're going to Shane Stack opening hearing on no Parking Resolution.

13:23
All right.

13:23
Good afternoon, commissioners.

13:27
Eric, I don't know if you want to still sharing.

13:30
Yeah, I'll share my screen maybe that'll let me know.

13:33
Gosh, if you can see my screen.

13:37
Not yet.

13:38
All right.

13:40
Give it a give it a go here.

13:45
There we go.

13:46
Awesome.

13:47
All right.

13:47
So I'll give you a little bit of history and maybe we'll just talk about where this location is.

13:52
If you can see the, the large structure to the West, that's Big Sky High School.

13:58
The road here kind of in the middle of the page is West Central Ave.

14:04

and the the roads that I'm going to describe are 29th and north and I'll zoom in a little bit.

14:13

Gosh, probably two years ago the, the the folks that live on North Avenue and 29th reached out and wanted to know if Missoula County would and could maintain 29th and North Avenue.

14:27

And given the the narrowness and the condition of the roadway, basically we communicated that it would be pretty challenging.

14:35

But if the roadway was improved and there was a a location for a turn around either at North Avenue, the end of North Avenue or at the end of 29th, we could we could certainly maintain the road.

14:48

And so the group of property owners got together and formed an RSID and that was created earlier, Gosh, probably this past spring that process was completed and then this summer Public Works was able to pave 29th and N which included a a cul-de-sac at the end of North Avenue.

15:14

One of the challenges with maintaining the roadway is being able to turn around and and what we want to do is is create a, a, a no parking resolution on the cul-de-sac and a little bit of of North Avenue just to make sure that roadway is clear of vehicles in the winter time and and even in the summer months so that we can get equipment in there and turned around or emergency vehicles can get turned around.

15:38

So that's kind of the history behind the resolution.

15:41

And I'll also show you this is a a, a drawing you can kind of see the shape of the cul-de-sac here and then this is the right of way.

15:51

So there would essentially be 150 feet of no parking.

15:56

This cross hatched zone is is basically the end of that road it and and covers that 60 foot right away plus the the cul-de-sac area.

16:04

So I'll go jump back to this image.

16:08

It's basically from from this line back 150 feet which gets you somewhere in this area here.

16:16

So that's the the kind of the background really today all we wanted to do is open up the hearing and OfferUp the opportunity for folks to provide feedback on the the proposal.

16:26

I've had two different people reach out and I guess I'll kind of share a synopsis.

16:32

One person recommended that all of north this whole stretch here have no parking.

16:38

And then I've also had somebody reach out and say all of 29th and all of North should have no parking.

16:46

And I guess so I I will open it up to you folks there in the Sophie Moise to I guess to hear comments or ask questions.

16:56

So I'm sorry, I'm just looking at the cars parked on 29th in the photo or the aerial and so that you want me to yeah just go back to that one.

17:07

If people have house guests, where would those house guests park?

17:11

They would essentially be forced to park in their driveways and with the limited space, got it.

17:19

OK, thanks.

17:20

Go ahead, Dave.

17:23

Shane, would you mind bringing up the image with the right of way displayed and the cul-de-sac?

17:31

Yeah.

17:33

So is it the case right now?

17:35

That is, is this displaying the full extent of the right of way?

17:39

And is it the case that the property?

17:43

I guess it would be the way this is oriented.

17:45

I guess it would be on the east side or the lower side of the image here is encroaching into that 30 feet.

17:55

Is that the So there might for all intents and purposes, even though it's a no parking zone.

18:01

Part of it is perhaps not going to.

18:08

It would never be parked on because that property has encroached with their their landscaping or whatnot into the right of way.

18:16

Or do I have that wrong?

18:18

Well, they could and and so let me zoom in a little bit here.

18:25

So the and and this yellow line I think probably runs kind of down the middle of the of the right of way.

18:33

And so if you imagine another straight line running across here that would would show you where the existing right of way is.

18:39

Plus we did end up purchasing a little bit of a of an arc up here to get the cul-de-sac shifted more to the north.

18:48

And so that's where you see this funny little bubble shape here that's that's kind of where that sits is right here.

18:56

So Dave, yeah, we do have a 60 foot ride away in here.

19:00

You are correct that there is landscaping and things like that and grass here, but there is still a roadway that's anywhere from you know 20 to 24 feet wide.

19:13

And then probably with this cul-de-sac, you've got a 50 foot diameter radius and so there is a paved surface in here.

19:21

But you are correct that the, the roadway abuts right up against a lot of this landscaping.

19:27

But that doesn't mean that people wouldn't go park a vehicle right on the edge of the road or even on the driving surface.

19:36

No, I I get it.

19:37

I guess my my point in asking the question is that there's even more of a justification for a no parking area here given the fact that the property hit property owner is already encroached into the right of way eating up space that could otherwise hypothetically be used for parking, correct.

19:57

Yeah, there's when you look at these photos, you can obviously see this space is not used for roadway it's and it's not just one property owner, it's you know the property is all the way down North Avenue on on that southern side.

20:13

Thank you.

20:16

Is there any comment in the room on this OK or online or on the phone OK, do we this is just open.

20:30

We don't need to do anything.

20:34

OK.

20:36

Oh, I thought this said second hearing.

20:45

Oh, I'm misreading.

20:46

I'm sorry.

20:47

Thank you.

20:47

I was misreading.

20:50

OK, We're opening this hearing.

20:52

Thank you.

20:54

Thanks, Shane.

20:56

Thank you.

20:57

Thank you.

20:59

OK, this is where I'm at.

21:02

2nd hearing for Rd.

21:03

Amendment petition, Patrick Swartz or Steve Naday.

21:11

I'm standing in for Patrick.

21:14

So today we have the second hearing of the petition to abandon and the 4th hearing of the petition to alter the same Rd., the Beirut Rd.

21:31

For the second hearing of the abandonment, you, you, Juanita and I did a road investigation and that took place on September the 6th.

21:47

Along with us, we had Bart Morris, David Mead and Thomas Allbrant meet us on site and we discussed the petition and options.

22:02

And at that time and at this time we have not yet made a recommendation.

22:11

There are to be another Rd.

22:14

viewing.

22:14

There is to be another Rd.

22:16

viewing to determine in large part whether there is other public accesses to public property that would replace the one that's under petition.

22:31

Now that viewing will be held October the 25th and we will meet at Lower Miller Creek Rd.

22:41

and Old Bitterroot Rd.

22:44

And let's meet at 3:00 PM and all are welcome to attend that.

22:51

And from there, which is a potential alternate access, we will most likely look at several others.

23:02

So I suspect that that meeting that viewing may take a couple of hours.

23:10

After that viewing, we will come back and meet on November the 3rd here in this room at 2:00 PM.

23:23

And at that public meeting we will hopefully make a decision on both petitions, although that's not necessarily the case if more information is deemed necessary by new commissioners.

23:40

Thanks, Steve.

23:46

Well, is there anyone in the room who'd like to speak to this?

23:52

We have our brand new analog time keepers here.

24:02

Can you see it?

24:03

Yeah.

24:05

You can at least watch.

24:06

I mean, you can't see the stream.

24:07

It's probably it's probably difficult to see, but you can you can see the mass.

24:11

Yeah.

24:11

OK.

24:14

Anyone online who'd like to speak to this?

24:19

OK.

24:22

And then I guess the next one is the 4th hearing for the alteration petition.

24:29

Would anyone like to speak to that?

24:35

We don't see anyone in the room or online.

24:40

Oh my gosh, are we to other business?

24:43

I do have a quick question.

24:44

Since Eric Dixon and Shane Stack are still on, did we ever get the no parking signs up on is it River Pines or Riverside?

24:53

I can't remember which Rd.

24:54

that's called.

24:58

I think we already put them up one.

24:59

OK, great.

25:00

I was just you're talking at the other kind of the that West side of of Mcclay Bridge, correct?

25:10

Yep.

25:10

Yeah.

25:11

And Steve is nodding his head, so.

25:12

OK, thanks.

25:17

Yes, Steve already said this, but I, I, I, I want to make it clear.

25:22

The Commission will hear both of these these petitions, the petition to alter and the petition to abandon again at its public meeting at 2:00 PM on November the 3rd.

25:32

But between now and then, people are welcome to provide written comment in whatever form to the Commissioner's Office we're compiling that.

25:44

We're keeping those all in one place.

25:47

If you can't find those on our website, call the commissioner staff and they will direct you to the link and you can review all the comment that we've received to and.

25:57

So is there a statutory like requirement to make a decision on the 3rd or if there's more information that is needed or what have you, we can yeah it.

26:09

We're going to do this field trip on the 25th.

26:12

We're going to start out looking at the Bitterroot, Old Bitterroot Rd.

26:16

access to the Bitterroot River.

26:18

We will probably then look at at least two different access sites near Lolo, one near Riverside Park and one near the the wastewater treatment plant for for the Lolo Sewer District.

26:36

And there may be others.

26:38

I I think those are the ones that we're going to hit for sure.

26:42

And then we'll come back with with that information about those sites and whether or not those are substantially the same as the as provided by the the road at issue.

26:55

And you may or may not be ready to make a decision on November 3rd and that will you know that'll depend on how you feel.

27:03

That'll depend on comments that you receive between now and then.

27:06

That'll depend on comments that you hear on November 3rd.

27:09

It.

27:09

But there is no statutory obligation to make a decision that day.

27:13

OK, thank you.

27:20

Anything else?

27:23

OK, everyone have a great afternoon.