

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, NOVEMBER 10, 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 Slotnick

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office

Vincent Pavlish, Civil Deputy County Attorney, Attorney's Office

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

Kyla Lehnerz, Administrative Assistant, Commissioners' Office

Carey Powers, Communications Coordinator, Communications

Erik Dickson, Transportation Engineer, Public Works

Allison Franz, Communications Manager, Communications

Elena Evans, Environmental Health Manager, Health Department

Shane Stack, Director, Public Works

Mel Fisher, Strategic Initiatives Manager, Communications and Projects

1. **CALL TO ORDER** *[Time stamp – 0:13]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:32]*
Missoula County acknowledges that this event takes place in the aboriginal territories
of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:13]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:38]*
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 1:02]*
6. **CURRENT CLAIMS LIST** *[Time stamp – 1:09]*
Claims received as of October 26, 2022 to November 1, 2022 by the Commissioners' Office
total \$1,031,786.75.

7. HEARINGS

- a. Petitions for Annexation – Missoula Rural Fire District** *[Time stamp – 1:33]*
Patrick Swart, Property Records Specialist, Clerk and Recorder's Office

[Resolution 2022-114 Book: 1083 Page: 719]

- b. Petition for Annexation – Frenchtown Rural Fire District** *[Time stamp – 3:46]*
Patrick Swart, Property Records Specialist, Clerk and Recorder's Office

[Resolution 2022-115 Book: 1083 Page: 720]

- c. Resolution for Extraterritorial Application – Missoula Valley Water Quality Code**
[Time stamp – 7:27]
Elena Evans, Environmental Health Manager, Health Department

[Resolution 2022-112 Book: 1083 Page: 721]

- d. Open Public Hearing – Rimel Road No Parking Resolution** *[Time stamp – 10:16]*
Shane Stack, Director, Public Works

[Continued to December 1, 2022 Public Meeting]

8. OTHER BUSINESS *[Time stamp – 21:19]*

9. ADJOURN

Chair Vero – Called the meeting to adjourn at 2:22 p.m.

BCC Public Meeting November 10, 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.

0:06

Oh, nice, \$7.00 gift for service department.

0:13

Well, we'll call this to order and begin with the pledge.

0:32

Missoula County acknowledges that this event takes place in the Aboriginal territories of Salish and Kalispel people

0:38

People public announcements.

0:41

There are only five people.

0:46

Are you getting worried?

0:54

No.

0:55

We could, we could meet his.

0:59

Yes, Patrick and you are the 1st 10.

1:01

Great.

1:02

But first, are there any public comments on items not on the agenda?

1:06

OK, Patrick, it's you.

1:09

Oh, sorry.

1:09

Current claims list received as of October 26th to November 1st by the Commissioner's Office is \$1,301,786.75.

1:24

OK, Patrick, so Patrick Swart with the Clerk and Records Office.

1:33

Today we have 3 petitions to annex land into the Missoula Rural Fire District.

1:39

The properties requested to be annexed are Parcel C of Certificate of Survey 26 located in Section 36 Township 12 N, Range 22 W, known as 21830 Highway 12, W, Lolo Mt 59847.

1:57

Parcel A1 of certificate of Survey 6421 located in Section 29, Township 14 N, Range 19 W known as 900 Dark Horse Lane, Missoula, Mt 59802 and certificate of Survey 155 located in Section 20 Township 12 N, Range 22 W, known as 28149 Highway 12 W, Lola, Montana 59847.

2:24

The petitions have been signed by the property owners who represent at least 40% of the acreage and 40% of the taxable value of the property to be annexed.

2:34

And a notice of hearing has been published twice in the Missoulain.

2:40

OK, go ahead.

2:42

Do we have any any comment from the Fire Chief or from the fire district?

2:48

They submitted a letter of support with the petition.

2:51

Fantastic.

2:52

It's great to know.

2:53

Thank you.

2:55

Well, is there any other comment online on the phone, see anything?

3:07

Oh, and we as we brought the closed captioning announcement again, one day we'll get this.

3:14

Great.

3:17

OK.

3:17

What are you So is this do we have a motion before us is this a hearing just opened and then closed later I guess I missed that.

3:24

I think we this is up to us to deny their.

3:28

Yes, that's my understanding to approve or deny today.

3:31

OK then I would move that we that the board approved the Missoula rural fire district petition for annexation as presented.

3:40

Second again any any comment or discussion.

3:44

OK all in favor.

3:46

Aye, OK now we have Frenchtown Rural.

3:52

Yes.

3:53

We also received a petition to remove a parcel of land from the Frenchtown Rural Fire District and then to annex that same parcel into the Missoula Rural Fire District.

4:03

The property requested to be removed and then subsequently annexed is a portion of Lot A1 or pardon

me one A of Racetrack Industrial Park, Lot 9 and Racetrack Development Park Phase One, Lots One and Two located at 8350 Racetrack Lane in Missoula, Mt 59808.

4:25

The petition has been signed by the property owners who represent at least 40% of the acreage and 40% of the taxable value of the property to be annexed.

4:33

And a notice of hearing has been published twice in the Missoula and for this one as well.

4:38

This one's a little bit of a unique situation that the parcel sits on the border of both the Frenchtown and Missoula rural fire districts.

4:44

So somewhere along the line the property was split between the two districts.

4:50

But both Frenchtown and Missoula Rural Fire District have agreed to this petition to help prevent delays in dispatching an emergency response that may result in the event of a fire and medical emergency.

5:04

Great.

5:05

Any comment on this one?

5:11

Don't see anything.

5:13

Anyone online on the phone seems to.

5:18

Oh, I'm sorry, Go ahead.

5:18

And it seems to make sense to me.

5:20

Yeah.

5:20

I was going to ask the same question I asked last time.

5:24

Yeah.

5:25

The they submitted it with a letter supporting the proposed change.

5:30

Fantastic.

5:31

They're into it.

5:32

We're good.

5:32

We're we're we are, we are good.

5:34

All right.

5:34

I'm ready for to to make a motion.

5:37

You're ready to have one.

5:38

I would move that we approve the petition to transfer property from the Frenchtown Rural Fire District into the Missoula Rural Fire District.

5:45

Second, any further discussion all in favor.

5:50

Aye.

5:51

Thank you.

5:54

OK, Before Elena, we'll let Violet explain the closed captioning.

5:58

Sure, sure.

5:59

Just a couple of quick announcements.

6:03

If you're joining us for this meeting virtually today, I'm going to just throw up some instructions for closed captioning if you're interested in turning those on.

6:14

If you're joining us in person, we have closed captioning on all of the screens here in the Sophie Moise room and we have assistive listening devices available.

6:22

Just come to me if you would like one, although it's just me, the commissioners and Vinnie in the room.

6:28

So we ask that all speakers today online and in person remember to speak slowly and clearly during the meeting.

6:36

This helps with the accuracy of the closed captioning.

6:40

There will be multiple chances during the meeting to provide public comment if you're attending virtually.

6:45

During those times, if you'd like to speak, we ask that you use the Raise Hand feature in Teams.

6:52

If you are on the phone, you'll need to hit Star Five to raise your hand and then when the chair calls on you, you will need to hit Star 6 to unmute on your keypad.

7:02

If you have any questions or concerns, find me during the meeting.

7:05

Thank you.

7:07

Thanks, Violet.

7:08

I guess maybe can we just somehow incorporate that into the agenda so I don't forget this every time we do this?

7:14

Good idea.

7:15

Thank you.

7:16

I would never remember.

7:18

I I don't.

7:20

OK, Elena, go ahead.

7:22

Nice to see you, Elena.

7:23

Yes.

7:24

Hi, everyone.

7:25

Thanks for having me remotely.

7:27

I am here today to present to you the resolution for extraterritorial application of the Water quality code that was passed by the city, and the Best Management Practice Manual that goes hand in hand with that.

7:44

And this is important because the Missoula Aquifer extends beyond city boundaries to the larger water quality district boundary, and protecting it is in the best interest of all who use it.

8:02

So this has passed through the Board of Health, the Water Quality Protection board, City Council.

8:12

It's come before the commissioners before, and this is the last step in the journey to update what was previously also applied extraterritorially.

8:25

So for the 10s of thousands of people listening online, would you explain what extraterritorial means?

8:31

Yes, so thank you.

8:33

So this is the five miles outside of city limits that is within the water quality district.

8:41

And so particularly it it's mostly West of town that isn't in the city right now as the city is annexed the airport area and so it's it's mostly pertaining to Frenchtown Y area.

9:02
Great.

9:02
Thanks.

9:04
Thanks.

9:05
Lena.

9:05
Is there anyone else to speak to this.

9:12
I'm good.

9:13
I remember this.

9:14
No, no.

9:14
Should we go back a few steps now?

9:17
I would, I would move that the board approve the resolution for extraterritorial application of Missoula Valley water quality code and best management practices.

9:27
Second, any further discussion All in favor.

9:31
Aye.

9:33
Thank you.

9:33
Thank you.

9:37
OK, Shane Stack opening public hearing primal Rd.

9:44

Oh, OK Eric Dixon.

9:45

Eric Dixon Yes, I will.

9:48

I will take this one.

9:49

Shane looked like he was triple or quadruple booked, so he asked me to open this one for us.

9:55

So he will share my screen and show you what we're looking at.

10:01

So Rimmel Rd.

10:04

is a kind of a almost an orphaned Rd.

10:07

up here in the South Hills, kind of surrounded by private land and intermixed with the city property.

10:13

So I'm still one of our roads to maintain.

10:16

So we are opening a hearing to consider a no parking district in this area.

10:26

We were contacted by property owners in the in the area this I think this summer and there were a lot of concerns about the activity that was going on in in the area.

10:40

So we worked with the neighborhood, we we coordinated with the city and this this portion here at the end of Rimmel Rd.

10:49

on the north half is under city jurisdiction.

10:52

So that's where our our coordination was necessary with the city and they are certainly aware of the issue and will have to take their own separate action.

11:02

But as far as we know they are working on it.

11:04

But anyway, the the neighbors in the area were concerned with with the activity up here.

11:09

It was decided through all of our discussions that the establishment of a no parking zone could be one way to, or hopefully will be the way to discourage the use that is leading to poor behavior and in the trouble up there.

11:26

So we just like to open the hearing for the consideration of a no parking zone on Rymal Road and the zone, oh sorry would be from Whitaker West to the the end there.

11:38

Yes, this is, this is what we've worked with with the neighbors and the city.

11:42

So you'll see here at this, this end where there are no signs yet proposed that is the city portion.

11:49

So this very well defined area is is the decision that has been made with the input from the from the neighbors and the residents.

12:02

So Eric to the the the neighbors nearby residents know that this hearings been opened and that that there's a comment period and they can they can comment.

12:12

You know I'm not sure Shane has been in contact with them.

12:16

I would hope and assume that they have been.

12:19

But if not we I will certainly check with Shane to make sure that he has been or will let them know that this is open and and let them know the next hearing date.

12:29

Great.

12:29

Thank you, Eric.

12:30

Sure.

12:30

It looks like we have someone on Brad cloud online who has a hand up.

12:37

Go ahead, Brad, you're muted.

12:41

Hopefully I'm unmuted now.

12:42

Now.

12:43

You're good.

12:44

Good.

12:45

Thank you.

12:47

Yes, my name is Brad Cloud, Last name is spelled CLOUD and I am one of the property owners that contacted Mr.

12:56

Stack's office and I really want to compliment him and his staffer very promptly meeting with us to help us figure out what options we had to help improve the conditions up here.

13:08

I also want to thank the board for just taking the time to to consider this today.

13:14

I'm I'm happy to provide some, you know, some background and explanation behind some of the reasons why we were asking this part of the rental road to be made into a no parking zone.

13:26

But I can also withhold comment too if that if that's not necessary.

13:31

We are hopeful that your your support of this request will also encourage the city to take similar action on their part of the road.

13:39

We have begun to address that with them and are hopeful that they will.

13:45

They'll help us similarly with making their portion a no parking zone as well unless you do you have anything else Eric, I no, I don't this like I said just to open it at this point.

13:59

So I'm glad that Brad was here to you know let you know that they are aware of it obviously.

14:04

So hopefully we'll continue their participation in the next next stages of the hearings if if necessary.

14:11

Yeah.

14:12

So Brad, go, go ahead and then you can, you can enter your comments into the record if you if you have comments today, if you'd like to say anything and or if you have written comments, you can send them to Violet or to us.

14:27

Well, thank you.

14:28

Let me just make a few, a few remarks about this.

14:32

I don't know if you have been up to Rimmel Rd.

14:37

to kind of see what it's all about, but it is really a beautiful place to come and watch the sunset.

14:42

And there are many people who do that in a safe and peaceful manner.

14:47

But unfortunately there are even more people who misuse the area.

14:52

They're speeding, racing, drinking and driving, using drugs and driving.

14:57

We see evidence of both of those every day, fighting, setting off fireworks and just kind of generally disturbing the quiet, peaceful nature of this area.

15:06

It happens on a daily basis and it happens year round and it often lasts into the wee hours of the morning.

15:14

I myself have had somebody have an accident out there and come to my house at 3:00 in the morning seeking help.

15:22

So it it it goes on all night in the wee hours, all of those things are, you know, dangerous and troublesome.

15:30

But in addition to that, there are some recurring auto accidents that take place out there.

15:36

And I imagine you may be aware of the one that took place on June 17th, in which two of three teenage girls were seriously injured, I believe, in a single car accident out there.

15:50

Rimmel Rd.

15:51

is the destination that attracts people up here.

15:54

Because of the privacy it offers.

15:57

It's not routinely patrolled.

16:00

We've had some luck with law enforcement coming up here when there had been problems.

16:05

Sometimes there's delays.

16:07

Sometimes the problem is gone by then and there really isn't anything that they can do.

16:11

So we're hopeful that the no Parking zone designation will enable them to at least ask people to leave when they do come up here and maybe we'll discourage people from coming up here to begin with.

16:24

Some of the problems that happen overflow under the adjacent areas.

16:28

Whitaker Rd.

16:29

in particular is essentially now a noisy drag strip every night and is quite dangerous and and risky especially for some of the younger drivers who who try to negotiate that area.

16:43

But it flows into our neighborhood in Stone Mountain and into fairviews and into the Heaven's Gate area as well.

16:52

And so our hope is that by making it a no parking zone that that it'll stop attracting some of the folks up here who do this sort of thing.

17:02

So again, I just want to thank you in advance for your support of our request and we feel like it will help protect the lives of those of us who live and and and those who visit the area as well.

17:18

Thank you, Brad.

17:20

Thanks for taking the time to to give us your comments today.

17:24

You're welcome.

17:27

OK, well we it's just open.

17:30

We don't need to do it.

17:31

So December 1st we will close.

17:34

We'll have more people come chat.

17:35

And Brad, if you have other neighbors who feel like have something to say, please encourage them to write or or come in person or beam in via the Internet the way you did today.

17:47

Yeah.

17:47

Let me just ask are you in receipt of the petitions that we had in support of this action?

17:54

Violet, I'm looking.

17:55

I'm looking at Violet.

17:58

Not to my knowledge.

17:58

Maybe I see Shane jumped on.

18:00

So maybe.

18:01

Yeah, Brad, I've got all of those.

18:03

I can, I can certainly add those when we, when I have that, I guess that bigger bundle of documents on December 1st.

18:16

Great.

18:17

Shane, it looks like we have Laura Scott who has a hand up.

18:24

Oh, Laura, it seems like you're muted.

18:27

There we go, got it.

18:29

I was actually just going to jump in here and mention that we had over 100 signatures, but it sounds like we'll that will be coming forward at the next hearing, correct.

18:39

I'm a homeowner up off of Whitaker up there and I wanted to reiterate just how responsive law enforcement has been and also how responsive Shane and his staff has been.

18:53

You know, I I did submit a concern of what I perceive to be some drug selling going up on Rimmel Road and other neighbors have reported that concern as well.

19:05

I did report that to law enforcement and they told me they were going to open a case and that particular car or cars that I had suspected of drug dealing have now gone away.

19:17

But now Fast forward to a few months later, I'm starting to see the same activity but with a different car.

19:25

So I just want to say although law enforcement is responsive, it seems like it's a little bit of a whack, A mole situation up here.

19:33

And I think that will continue to go on because it is really hard to if you patrol that area, it's out of the way.

19:40

And I think a lot of the people that go up there know that.

19:43

And in a sense it is become actually very lawless during the nights and it can like Brad mentioned, go on three or four in the morning.

19:53

Sometimes I'm woken up by vehicles going up and I'll look at the clock, look out the window and they're still coming and going at 3:00 and 4:00 in the morning.

20:01

And even though law enforcement is very responsive when we call again often.

20:07

You know by the time law enforcement comes up, there's a whole new gang up there where they're gone or it's just something I think that needs to be taken a little something that's going to be a little more, I don't know, constructive or permanent than than calling law enforcement.

20:24

Every time we see someone speeding up the hill or a fight or something like that, yeah, that's all I have to say about it.

20:34

There's, there's a lot to say, but I'm sure you've seen a lot of our correspondence.

20:38

Our big concern came when there was the rollover this June.

20:42

And after that actually behaviors up there in my opinion worsened from then on.

20:47

So I don't think we're seeing the end of the car accidents up there.

20:53

Thank you, Laura.

20:54

Thanks.

20:55

Thank you.

20:59

OK, any other comments?

21:03

Primal Rd.

21:06

OK.

21:07

Send your comments into BCC AT or is this a voice thing?

21:12

OK.

21:13

BCC at Missoulacounty dot US OK.

21:19

Is there any other business?

21:25

We are adjourned.

21:27

Excellent.

21:28

Thank you, everybody.

21:29

Thanks everyone.