

Missoula Board of County Commissioners

# PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, OCTOBER 03, 2024 – 2 PM

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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.

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**ATTENDANCE:**

**Commissioners Present:**

(Acting) Chair Juanita Vero  
Commissioner Josh Slotnick

**Staff Present:**

Cheryl Hartman, Administrative Assistant, Commissioners' Office  
John Hart, Lead Civil County Attorney, County Attorneys' Office  
Jennie Dixon, Planner, Planning, Development, and Sustainability  
Kali Becher, Project Manager, Parks, Trails, and Open Lands  
Andrew Hagemeyer, Director, Community and Economic Development  
John Wilke, Housing Specialist, Community and Economic Development  
Kyla Lehnerz, Office Administrator, Lands and Communities  
Mattie Scott, Administrative Assistant, Commissioners' Office  
Katy Reeder, Planner, Planning, Development, and Sustainability  
Heather Powers, Administrative Assistant, Lands and Communities  
Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office  
Allison Franz, Communications Manager, Communications  
Tim Worley, Senior Planner, Planning, Development and Sustainability  
Nicholas Zanetos, Operations Administrator, Parks, Trails, and Open Lands  
Carey Powers, Communications Coordinator, Communications  
Chet Crowser, Director, Lands and Communities  
Patrick Swart, Planner, Planning, Development, and Sustainability  
Chis Lounsbury, Chief Administrative Officer, Missoula County

1. **CALL TO ORDER** *[Time stamp – 0:00]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:02]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:11]*  
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.

**4. PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:26]*

- a. Closed Captioning
- b. Proclamation: 2024 National Domestic Violence Awareness Month
- c. Proclamation: 2024 Land Stewardship Award
- d. Proclamation: 2024 Parks and Trails Stewardship Award

**5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 11:10]*

**6. CURRENT CLAIMS LIST** *[Time stamp – 11:15]*

Claims received as of September 4 to September 24, 2024 by the Commissioners' Office total \$7,645,954.15.

**7. HEARINGS**

**a. Roseburg Boundary Line Relocation** *[Time stamp – 12:33]*

Jennie Dixon, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Board of County Commissioners of Missoula County hereby that the request by Roseburg Forest Products Company to utilize the relocation of common boundaries exemption on property legally described as tracks 245 and seven through 12 Certificate of Survey number 6982 located at 325 O through 3300 Razor Drive be approved based on the findings and conclusions in the staff analysis and as presented in the exemption application and affidavit.

Commissioner Vero seconded.

[Motion Passed 2-0.]

**[Letter 2024-174 was sent to Jamie Erbacher, WGM Group on October 04, 2024]**

**b. West Valley Community Council Boundary Change**

*[Time stamp – 20:39]*

Kyla Lehnerz, Office Administrator, Lands and Communities

Commissioner Vero made the motion that the Board of County Commissioners open the public hearing for the potential boundary change for the West Valley Community Council.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

**[Continued to October 24, 2024 Public Hearing]**

**c. Stowell-MLR Open Space Bond Project**

*[Time stamp – 27:46]*

Kali Becher, Manager, Parks, Trails and Open Lands

Commissioner Slotnick made the motion that the Board of County Commissioners approve and adopt the resolution to expand up to 300,000 from the county's portion of the 2018 open Space bond funds toward the purchase of a conservation easement on 150 acres near Condon, Mt for the Stoll Open Space Bond project.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Resolution 2024-100 Book: 1105 Page: 583]

**8. OTHER BUSINESS**

[None]

**9. ADJOURN**

(Acting) Chair Vero– Called the meeting to adjourn at 2:51 p.m.

## BCC Public Meeting October 03, 2024 – 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

To the flag of the United States of America and to the Republic for which it stands.

0:07

One nation under God, indivisible, with liberty and justice.

0:11

For Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Cleese Bay people.

0:21

There we have 4 public announcements.

0:26

We'll start with Cheryl.

0:32

Hello, everyone.

0:41

If you are joining us on this meeting virtually today, instructions for turning on closed captioning are on your screen.

0:47

If you are joining us in person, we'll have closed captioning on all the screens here in the Sophie Louise room.

0:53

There will be an opportunity to speak during the meeting for public comment, virtually and in person.

0:59

We ask that all speakers today speak slowly and clearly.

1:03

This helps with the accuracy of the closed captioning if you're on Microsoft Teams.

1:08

If you'd like to speak when discussion has been open for public comment, we ask that you use the Raise Hand feature.

1:13

This is a small hand button.

1:15

If you're calling in on the phone, you'll need to hit \*5 to raise your hand.

1:19

Once called upon, you will need to hit \*6 to unmute.

1:22

We also have assisted listening devices if you need one.

1:25

If you have any questions, please find me during the meeting and let me know.

1:28

Thank you.

1:28

Back to one.

1:30

Thanks, Cheryl.

1:31

Would you like to read the DV proclamation?

1:38

Whereas, without regard to age, race, gender, religion or economic status, the issue of domestic violence effects thousands of Missoula County residents, and as victims endure abuse from a spouse or partner, it also impacts their families and communities.

1:53

And whereas physical violence, sexual violence and or stalking and intimate relationships affect one in three women and one in four men at some point in their lives, in Montana, intimate partner physical violence, also known as IPV, sexual violence, and or stalking affect 37% of women and 30% of men.

2:13

The probability of intimate relationship femicide is at least five times higher when the abusers have access to firearms.

2:20

And whereas Native Americans in Montana and across the United States experience intimate partner violence at disproportionately high rates, 84% of Native American and Alaska Native women will experience domestic violence, sexual violence, and stalking.

2:35

56% of Native American and Alaska Native men will experience some form of IPV.

2:42

Native women are 25 times more likely than other groups of women to be assaulted in the United States, and homicide is the third leading Causeway of death for Native women.

2:52

The origins of domestic violence and abuse of Native people can be traced to colonization, including the introduction of alcohol, forced removal of children, boarding schools, loss of land, culture, language, and traditional ways of life.

3:05

And whereas domestic violence has widespread, immeasurable impacts on society, including causing lasting trauma, loss, grief, physical injuries that may be disabling, and lifelong psychological injuries.

3:18

Further, these impacts take an economic toll on victims when accounting for medical costs, lost productivity, legal fees, and property loss.

3:26

Domestic violence victims incur lifetime costs of nearly \$82,000, and the United States incurs \$3.6 trillion in costs.

3:36

Yet, dollars cannot measure the lifelong impacts on victims and their children who experience trauma from domestic violence in their homes.

3:43

And WHEREAS, according to research, domestic violence can be decreased by building communities where people are connected, caring and supportive of one another.

3:51

And WHEREAS every day in Missoula County, people and organizations support those who have been affected by domestic abuse by offering services and resources including therapy, legal counsel, education, housing advocacy, and medical care.

4:06

Therefore, be it resolved, we, Missoula County and the City of Missoula do hereby proclaim the month of October as National Domestic Violence Awareness Month.

4:16

Dated this third day of October 2024 Signed Andrea Davis, Mayor of the City of Missoula.

4:23

Dave Strohmeier, Josh Slotnick, Juanita Vero.

4:26

Missoula County Commissioners.

4:28

Thank you.

4:28

Is there anyone that would like to speak to National Domestic Violence Awareness Month?

4:33

There any rumor on the line?

4:36

OK, there's one more or two more proclamations.

4:42

WHEREAS Missoula County land owners and residents play a vital role in caring for our natural resources.

4:47

And whereas there are exemplary land stewards throughout Missoula County engaging in voluntary projects and practices that protect and enhance our natural resources.

4:55

And WHEREAS Missoula County, through the Land Stewardship Award Program, wishes to recognize and thank these land stewards as well as promote their stewardship success stories so that others may learn from them.

5:06

And whereas the Missoula County Open Lands Citizen Advisory Committee reviewed the nominations and made a recommendation for the 2024 Land Stewardship Award winner.

5:16

Now, therefore, we, the Missoula Board of County Commissioners, do hereby proclaim Bert Lindler as a recipient of the 2024 Missoula County Land Stewardship Award.

5:28

We honor Bert Lindler's outstanding efforts in caring for the natural resources in Missoula County and for providing residents with an opportunity to learn from their successes.

5:37

Dated this third day of October 2024.

5:40

Your county commissioners, Dave Stromar, Juanita Vero and Josh Slotnick, would anyone like to speak to this?

5:48

Oh, come on, come on up to the microphone.

5:54

Come on.



5:54

Come on, Anne.

6:12

Thank you.

6:12

I have a a memory of coming down the trail from Heart Lake and running into Burt Lindler.

6:18

And, yeah, pulled me aside and talked to me all about the great burn and showed me this map that he'd printed.

6:23

And I was like, Bert, I got to keep hiking here.

6:26

Fantastic.

6:26

Very enthusiastic.

6:29

Well, we are looking forward to more celebrations.

6:32

Kaylee or anyone else from online or in the room like to speak to this?

6:41

Yeah, I'm happy to speak to a few of the main reasons.

6:46

I can't cover all of the reasons that Bert Lindler was nominated for the Stewardship award this year.

6:54

And also wanted to mention for any press that's at the meeting today or online that there will be an event tomorrow, which is the 4th of October at 3:00 PM at the Rocky Mountain Elk Foundation to have a celebration, celebration for Bert and press is welcome to attend.

7:10

So Bert Lindler was nominated by Sarah Holden, who is a member of the Open Land Citizen Advisory Committee.

7:17

And Bert was nominated in part for his extensive volunteer efforts that have impacted hundreds of really thousands of acres across a variety of ownerships, primarily but not limited to the North Hills and the lower and Upper Rattlesnake areas.

7:37

And his efforts have been around wildlife habitat improvement, noxious weed removal that's included four sinning projects and really big multi jurisdictional grant implementation with different agencies as well as extensive work with the National Wildlife Federation and really volunteer management of their property for I think almost 20 years.

8:05

He's really contributed to substantial efforts to improve habitat for the 400 50 elk that live in the North Hills.

8:13

And many people, when they heard about this nomination, said Bert was the most energetic, passionate volunteer they have ever met.

8:24

And so this is a really, this is an exciting day to be able to honor all of his work.

8:29

Thanks.

8:29

Thanks, Gary.

8:31

And I've spent some time with Burt underneath the Reserve Street Bridge, so also very, very enthusiastic in an urban environment.

8:40

One more proclamation.

8:42

Yes, go.

8:44

Whereas individual citizens play a vital role in caring for Missoula County public lands.

8:49

And whereas, they're exemplary stewards throughout the county, engaging in voluntary projects and practices that maintain and enhance our outdoor spaces.

8:58

And WHEREAS Missoula County, through the Parks and Trails Stewardship Award, wishes to recognize and thank these stewards, as well as promote their stewardship success stories so others may learn and be inspired by their work.

9:11

And WHEREAS the Missoula County Parks and Trails Advisory Board reviewed the nominations for the 20 for 2024 and made a recommendation for the recipient of the Parks and Trails Stewardship Award.

9:23

Now, therefore, we, the Missoula Board of County Commissioners, do hereby proclaim Jack Ballas and Doug Franzen as the recipient of the 2024 Missoula County Parks and Trails Stewardship Award.

9:35

We honor Jack and Doug's decades of dedication to East Missoula Lions Park.

9:40

From the From the inception of the park, Jack and Doug have volunteered countless hours towards park maintenance and community events.

9:48

Their commitment and work ethic has helped to make E Missoula Lions Park an anchor of the East Missoula community for generations to come.

9:55

Dated this third day of October.

9:59

Dave Strohmeier, Juanita Viero.

10:00

Josh Sonic.

10:01

You are Missoula Board of County Commissioners.

10:03

Thank you.

10:04

OK, anyone from Parks and Trails advisory want to speak to this?

10:10

Come on, Ron.

10:15

I hadn't expected to, but I I'm.

10:16

I'm.

10:17

It's well worth talking about.

10:19

Ron Slater SCHLADERI am a member of the Missoula County Parks and Trails Advisory Committee and we are going to have a get together for the awarding of this this at Missoula Alliance Park.

10:37

It is October the 9th next Wednesday at 1:30.

10:43

And we, we will, they will, the committee will award the OR the I believe the county commissioner usually show up and then they award, give the award to these individuals and that they were very well deserving and it'd be nice to go.

10:57

Everybody shows up out there because the park really looks a lot different than it did 10 years ago.

11:03

Thank you.

11:04

Thank you.

11:09

OK.

11:10

Any public comment on items not on the agenda?

11:15

Our current claims list received as of September 4th, 2024 to September 24th, 2024 by the Commissioner's Office total \$7,645,954.15.

11:30

We have 3 hearings and we'll start with Jenny Dixon.

11:34

I guess the process here is we'll hear from staff and then the applicant.

11:38

Then we will open the public hearing and then close the public hearing and then discuss it and vote.

12:24

OK, thank you.

12:26

Thanks for your patience.

12:28

This is first of all, my name is Jenny Dixon, planner with planning Development, sustainability.

12:33

I'm here to present a request from Roseburg Forest Products for a boundary line relocation at 32 fifty 3300 Razor Drive.

12:45

You will recognize the site as the Roseburg Forest Products that permanently closed earlier this year.

12:54

The location is as shown here South of I-90, north of Broadway and the railroad and east of Reserve St.

13:05

and it's most of their ownership is outlined in that darker black boundary.

13:11

The area subject showing the area subject to the boundary line relocation and encompasses about 220 acres.

13:20

They own I believe 13 tracks out here.

13:23

They're asking for a boundary line relocation amongst nine of those tracks.

13:29

Those tracks are reflected in Cos 6982, which is a recent, very recent survey, I believe a retracement survey of their ownership and that show shows this, the retracement of what their current tracks look like.

13:48

Property is in an area with a land use recommendation or designation in the land use element for heavy industrial and that is how it is zoned.

14:01

Obviously we're at the county commissioners meeting.

14:03

So this is in the county but close to proximal to city land and actually surrounded on on all sides by city.

14:19

So again, this is the diagram of their existing 9 tracks that they wish to do a boundary line relocation for.

14:27

And some of the tracks are quite large, hunt over, you know, 100 and some acres and some as small as I think an acre or two.

14:39

Ultimately, they wish to redraw the boundaries of those 9 tracks to look like this.

14:48

The applicant may be able to provide a better explanation for the reason or the basis for making those lines.

14:55

What I can tell you is that each of the tracks proposed here is greater than 20 acres which will come come into play with sanitation or lack there review lack thereof.

15:08

Lack of sanitation review the section of law.

15:13

The reason this is here before you today is 7632 O 7.

15:17

There's a subsection that requires the commissioners to take action on boundary line relocations in platted subdivisions where there's six or more tracks affected.

15:28

And because there are 9 tracks affected, we have by policy bring this to you.

15:33

You've seen this before on several in the last few years.

15:36

You're going to see some more.

15:38

I think we're we're entertaining another one.

15:40

So and what we do is we look at the evasion criteria and rebuttable presumptions or boundary line relocation and determine after an evaluation if there are red flags raised in that evaluation that would indicate evasion.

15:58

Of the three rebuttable presumptions and 18 evasion criteria, only one of the criteria were triggered.

16:10

If you will or were, I could identify and possibly indicate evasion.

16:17

However, this is the most appropriate exemption to use for what they want to accomplish and therefore we did not identify this as evasion and in fact recommend approval with a motion on the screen before you today.

16:34

Thank you.

16:36

Would anyone from Roseburg like to say anything?

16:47

Sure, thank you.

16:48

Commissioners.

16:49

Jamie Erbacher with WGM for the record.

16:52

So as Jenny alluded to, this is a fairly straightforward request with no additional parcels being created.

16:56

We are starting with 9 parcels of record.

16:58

We are ending with 9 parcels of record.

17:01

All of the existing parcels are developable in their existing configuration.

17:07

But this rearrangement of property boundaries will facilitate distribution of the land, excuse me, to the correct holding entities within the Roseburg Corporation.

17:19

So the mill property and the the large berm that you see to the north and east if you will, that sits on existing parcels of land, but it also occupies some of the vacant parcels of land that are around it.

17:36

So these elements of the property, they need to be held in a separate corporate entity for Roseburg's tax purpose purposes.

17:45

So the the boundary line relocation before you today is before you today because it affects more than 5 existing tracks.

17:53

So in order to work through the jigsaw puzzle that we need to do here to create a single parcel for the mill proper, we need to shift each of the affected parcels.

18:04

We could have gone through and piecemealed these applications and had several applications come just to the planning office, but this is a much cleaner, much more straightforward process and in the end will result in the same configuration with less survey records, if you will.

18:22

So available for any other questions that you may have.

18:24

Thank you.

18:25

Thanks, Jamie.

18:29

Any other comments?

18:33

OK, Should we close?

18:34

Can I ask a question?

18:36

Yes, question for John.

18:40

So I just wanted to think I have this right, but I just wanted to get clear on our decisions based on this because there's been some talk out there in the greater world on well, there's so much potential for all kinds of great things at this site.

18:53

It's really big.

18:54

It could be all kinds of things.

18:56

You guys should condition this on something And my sense is we can't do that.

19:01

Boundary line relocation is just that.



19:03

And if basically, if I understand it right, if we start with a certain number of lots and end with a certain number of lots and all of them are at least 20 acres, don't worry about sanitation.

19:13

That's all there is to it.

19:14

But I just wanted to make sure I understand that, right.

19:17

Yeah, you're correct.

19:18

Commissioners, you cannot add conditions on your approval or denial.

19:24

It's a straight up or straight down.

19:26

Great decision.

19:27

Great.

19:28

Thank you.

19:29

Thank you.

19:30

Let me bring up the motion.

19:31

I'm happy to make it unless somebody else must.

19:35

Thanks, Jenny.

19:39

All right.

19:39

Do we need to do any more public comment?

19:42

Oh, good point.

19:43

Is there any additional public comment before we close this?

19:48

OK.

19:49

All right, I would move that the request by Roseburg Forest Products Company to utilize the relocation of common boundaries exemption on property legally described as tracks 245 and seven through 12 Certificate of Survey number 6982 located at 325 O through 3300 Razor Drive be approved based on the findings and conclusions in the staff analysis and as presented in the exemption application and affidavit.

20:18

Second.

20:21

There any further discussion comments in the room or online?

20:28

Here's the clean and straightforward.

20:29

Yeah.

20:30

Nice job.

20:31

All in favor.

20:32

Aye, aye.

20:34

Thanks, Jamie.

20:35

Thank you, Jamie.

20:36

Thanks, John.

20:39

OK, Arts second one, Kyla West Valley Community Council boundary change.

21:17

All right, I am all set up so Kylo Leonard's with lands and communities.

21:21

I'm here for the West Valley Community Council boundary change consideration.

21:30

1st, I'll give you a brief high level overview of some of the background of where the council began and where we are going forward.

21:38

In 2008, a petition was received by the committee commissioners from the community requesting consideration to establish a community council in the West Valley Frenchtown area.

21:52

And then in March of 2008, the first public hearing was held expressing the desire to have this on a ballot for voter consideration.

22:03

At that hearing, the boundaries for the West Valley Community Council were the Frenchtown School District.

22:10

However, at that meeting, public comment came out expressing a desire to have two separate councils, 1 representing the Evro area and one French representing the Frenchtown West Valley district.

22:24

So that was denied at that time.

22:29

In July in 2008, a second hearing was brought back forth with a resolution to place a new resolution on the November ballot with revised boundaries for voter precincts which would allow two separate community councils.

22:46

In November of 2008, voters approved the creation of the West Valley Community Council in the listed voter precincts and then in March of 2009, the council held its first hearing.

22:58

I just wanted to make a note that due to voter precinct changes, the history of this, that in 2003 and 2013 the boundaries of the community council had to be revised because precincts can change every 10 years.

23:11

So that is just a note for that.

23:15

OK, so bringing us to today or in the year of 2024.

23:20

In February of 2024 it was brought to the attention of the Commission that some of the community members do not reside within any Community council boundary due to the voter precincts and the boundaries that are currently with West Valley.

23:36

So in March of 2024, the community Council had some discussion at one of their meetings and then in May of 2024, the community Council provided a letter requesting a change to the council boundaries from voter precincts to the Frenchtown School district #40 To note this would not have been this is not this was not available at that time.

24:02

However, in June of 2024, the Evro Finley O'Keefe Community Council was dissolved due to lack of activity.

24:11

So now the West Valley Community Council and the Evro Community Council boundaries would have not aligned.

24:19

But now we are open for this consideration.

24:22

So to give you an idea, the this is the current French Town West Valley Community Council boundaries and this was the Evro Community Council boundaries.

24:42

The Evro Community Council primarily falls within this ever or excuse me, Arley School District with the exception of this lower portion here which does not fall within the Arley School District.

24:56

So I wanted to highlight that one more.

25:02

This is the proposed boundary of School District 40, which is the Frenchtown School District.

25:07

As you can see, the new outline takes over part of the Evero Community Council and now encompasses a more inclusive community of West Valley and Frenchtown area.

25:22

This is just a topographical map of of the new proposed boundary.

25:26

Again, this is kind of the highlighted area of the new area that the school bound, the school boundaries would encompass.

25:40

And this is just a map of all of the community councils in Missoula County.

25:45

Currently, this is West Valley over here, Seeley Lake to give context.

25:53

So this is just the first hearing just as a recommendation to open public comment considering this resolution for the boundary change of the West Valley Community Council.

26:04

Thus far, we've only seen received one public comment and it was over concern of the representation of the Evero community, which I think I've highlighted.

26:13

But there's if there's any other questions, I will stop and pause for a moment.

26:18

Thanks, Kyla.

26:20

Any questions or comments on this?

26:25

Yeah, ask asking a question.

26:27

So on the not including Evero, is this basically because Evero Community Council is dissolved?

26:34

There really was no interest in community council there any longer, Correct?

26:39

The council had been inactive for approximately 5 years and we had membership issues and there just wasn't a desire for that community.

26:47

However, the West Valley Community Council can still be a voice for that area and for those community members.

26:54

Thank you.

26:56

Is there also a sort of a club or another organization in Avro?

27:01

Yes, they have a Community Center club up there.

27:04

They don't meet as often as the council's generally do, but they do have an active council.

27:08

Thank you.

27:10

I'm sorry.

27:11

So what's the process?

27:11

Do we vote to?

27:13

So it's just open?

27:14

We we claim it open.

27:16

We don't have to vote on it.

27:18

Oh, OK.

27:20

The process is open and I'm sorry, what's our date for this again when we revisit this?

27:27

So the West Valley Community Council is meeting next next week, Thursday, October 10th.

27:33

This the next hearing for this and close will be Thursday, October 24th.

27:38

Any public comment or questions you can find on the Missoula County Voice.

27:44

OK, thank you so much.

27:46

Thanks a lot.

27:46

Kinda Kaylee Becker with an the Stowell MLR opens based bond project and Mark Schmidt.

28:05

Good afternoon.

28:07

So just as a brief introduction to the project, this is a proposal to use open space bond funds that were from the are from the 2018 Open Space Bond.

28:23

As a reminder, this is an open space bond that was approved by Missoula County voters via ballot initiative in November 2018 for the purpose of providing funds to pay costs of conserving, enjoying and enhancing open space land.

28:37

To include providing public access to water and land, conserving agricultural lands, Fish and Wildlife habitat, and rivers, lakes and streams.

28:45

Protecting scenic views, and making improvements to land acquired or designated as open space that are accessible to the public.

28:53

By purchasing land easements or other interests in land from willing land owners and paying for costs of improvements related to serving lands acquired or designated as open space.

29:06

So I am going to hand it over to the project applicant to go over the details of the project and then I'll give a staff report.

29:15

And I know there is an app that land owners are here as well as a representative from the Open Lands committee to present their recommendation.

29:23

So I'll just share the presentation.

29:26

Give me a minute.

29:32

And I'm sorry, I said Schmidt and I met Schultz.

29:36

I'm so sorry.

29:36

I was going to, I was going to qualify that.

29:40

All right, All right, Well, thank you.

29:44

And my name is Mark Schultz.

29:46

I work for the Montana Land Reliance.

29:47

I run the western office of MLR in Bigfork.

29:51

Our main office is in Helena.

29:53

We've been working in the Swan Valley in Missoula County since about 1993.

29:58

I'm really pleased to bring a project for consideration for funding now on behalf of Jeffrey.

30:03

And I'm Carol Stoll, who live in Condon.

30:09

The the project itself is, is situated in the, in the Swan Valley, just just West of Condon.

30:16

Might not be able to see this, but it's a yellow property there.

30:19

It's situated, you know, in, in the Swan Valley.

30:22

It's one of the most diverse ecosystems in Montana.

30:25

And, and this property is situated in a, in a place that's really going to benefit both the work of MLR and other Land Trust who've worked in that area.

30:34

The Swan Valley, incidentally, was the centerpiece of the Montana Legacy project back in the day.



30:39

So here's a little close, close up of the property and where it's where it's located, it's the yellow property on the, on this aerial.

30:49

It's located, you know, directly adjacent to another MLR easement.

30:54

And there's other and other MLR easements are nearby, as well as other conservation easements held by other organizations.

31:00

This, this here again, the property is yellow here.

31:04

MLR easements are the blue properties you can see on the map.

31:07

Other conservation easement properties are in the pink.

31:10

And then Forest Service land is green in this map.

31:17

So the property currently is has no development on it whatsoever is no structures, no developments as though it's been used for for working forest and recreational uses in the past.

31:29

It's a property is a diverse stand of connivorous forest.

31:35

And the most significant feature on the on the property is Glacier Creek, which runs from South to the north and and bisects the property.

31:45

This is a wetland map that shows glacier cricket as it hits the swan here just about 1/4 mile north of the property.

31:52

It actually braids throughout this property and as an expanded river channel at which creates a riparian forest land that's critical for wildlife habitat.

32:05

It also joins with the the wetlands on the the rich or the the hush property, which is a another conservation easement actually owned by the stoles as well.

32:14

So excuse me.

32:18

So the this is a land type map that shows the different forest types on the on the property.

32:27

About 6060% of the property is is a riparian.

32:30

I'm, I'm sorry, excuse me, coniferous forest.

32:34

And on this particular aerial, it's the, it's the yellow property that are on either side of the West and the east side of the property.

32:41

So it's covered by western large ponderosa pine, logical pine, and, and, and and some Ingleman spruce.

32:50

It was logged in sometime around 2003 and and then again in 2014 or 15.

33:00

It actually has a stand of of nice trees here you can see and then there's about three to five acres on the western part of the property that's got some really nice large that were were not logged back in the day.

33:15

So the center part of the property, the green here, you see that kind of runs like a band through the property.

33:21

That's the riparian forest associated with the braided streams of of Glacier Creek.

33:27

This is like a thick habitat has not been logged.

33:30

It's got just dense forest with Ingleman spruce and Cottonwood.

33:35

It's provides cover for wildlife given the fact that it's just, it's, it's so dense and, and it's undisturbed.

33:45

There's a picture of that.

33:46

You see the, the Cottonwood gallery there and the spruce.

33:49

So finally in the center of the of the property, you see the little blue patch.

33:52

This is an area that's just annually wet and doesn't support the larger trees.

33:58

So this is got just a Willow and thin leaf Alder.

34:02

It's got lots of zedge in there and it's just a really wet area for, for, I'm sure in the past had Beaver, Beaver, Beaver habitat and other types of, of them, you know, wetland animals.

34:16

So because of the diverse stand and, and, and forest types in this area, between the upland forest and the, the riparian hepatitis, there's just a lot of different wildlife that takes advantage of it and that uses it.

34:30

The Montana Natural Heritage Program identifies 17 avian species, bird species that are species of concern that are found in this in this property.

34:41

There's a number of other animals including Canada lynx, little brown myotis and western pygmy shrew that are listed.

34:50

Anecdotally, there are lots of other wildlife that use the property between the grizzly bear, badger, Gray wolf and elk.

34:58

The land owners got video evidence of, of, of grizzly bear, recent grizzly bear evidence.

35:06

Again, anecdotally, I don't have any maps that show a collar data, but I got this from the Swan bear Valley resources.

35:13

This was a this was a A10 bears over a four year.

35:18

That were radio collared and it showed their their how they move through the Swan Valley.

35:22

If you look here, you can see the Mission mountains on the on the left hand side and then the Swan Mountains on the right hand side.

35:28

So the valley floor where you see the yellow is where the bear, bears have actually moved.

35:34

And I, I located the, the store property, which is really right in the center of all that activity.

35:40

So this area, given its cover is just an important wildlife property.

35:47

So just briefly to go over the permitted uses, the conservation easement that would protect this property.

35:54

Agricultural activities will be allowed including timber management.

35:58

MLR considers commercial timber harvest of you know a critical tool for managing a property.

36:04

A commercial timber harvest would require a plan that Emerald Memerald would approve just to ensure that the conservation values are being protected.

36:14

Water development would remain reserved right of a landowner on the structure that the easement would allow.

36:21

One building and vote 15 acre building with two two residences at a minimum.

36:27

Two of the land would transfer and one parcel only would always be together, never be subdivided.

36:35

Other activities like fences and roads would be controlled by the easement based on terms and then there would be some commercial activities allowed that would not impact conservation values.

36:47

The landowner also, you know, reserves the the option to have education or scientific uses of the property for, for a university and other educational institutions.

36:59

This map here shows the building envelope.

37:01

It's in the, the yellow or the Red Cross hatch.

37:04

It'd be on kind of a northern portion of the property West of Glacier Creek.

37:09

Prohibited uses would be subdivision of land, any alterations of land, service of the waters.

37:16

Jeff and Carol do own 100% of the mineral rights of the property with a a mineral title search and they are we're going to extinguish all surface and subsurface mining be no dumping or waste, no billboards, utility transmission lines would be prohibited as fails as well as game Fern fish farms.

37:36

So this is the budget, this is the budget cost of this project.

37:41

Clerk, I mean Peric Nyberg's of Clerk Norman C Wheeler Associates completed a final appraisal of the easement and so the final appraisal was at \$950,000.

37:53

That's the, the value of the conservation easement estimated transaction cost are going to be about 54,600.

38:03

And so the total project cost with those two combined will be 1,000,001 million dollars, 460,000.

38:10

So that's the cost of the, the project itself.

38:14

As far as funding anticipated funding, the landowner would donate the, the, the, the remaining value that's not compensated, which is what this estimate is \$386,000.

38:27

That would be a charitable donation we're requesting from Missoula County \$300,000, which is roughly 29.8% of the the total cost of the of the of the project.

38:39

MLR is our, our board of directors has dedicated to \$200,000 for this project.

38:47

We have a, a fund called the Schreyer Fund.

38:50

It's a fund that was donated and established by a a gentleman who wanted to protect biodiversity in western Montana.

38:57

So it's dedicated just to purchase conservation easements on the land that has highway diversity and the Swan Valley is just off the charts with the biodiversity.

39:06

It was a slam dunk for that project.

39:09

So we are bringing \$200,000 to this project.

39:13

I just found out this morning, the Heart of the Rockies just emailed me this morning saying they committed their board has committed \$50,000 for this project.

39:22

So that's another partner that's, that thinks this is important.

39:26

And finally, finally a Tierra Foundation is a, is a smaller foundation down in North Carolina and they like this project and they've paid \$14,000 to cover and help with project costs and, and other and other other costs.

39:42

So as far as the funding goes, the transaction cost, the landowner will pay the the the transaction costs of 48,600 which is roughly four 4.8% of the project funding and MLR.

39:59

We will be you know committing \$8000 in project cost for the the project for just our in house project cost that we are not seeking compensation for so.

40:12

This is just a quick summary which I basically already said, you know, as far as the total acres is 158 acres, the project cost is 1,000,046, four 1600 and we're requesting \$300,000 from the Missoula County open space bond for the county request a percent of value is 29.9 or 30%.

40:37

So I'd just like to review the just the conservation value summaries of this project and why it's important.

40:46

So geographically, it's situated in the Swan Valley.

40:50

It's a it's an area that's already had extensive conservation has been identified as a priority area for a number of conservation organizations, including MLR.

40:58

It where it's situated right now.

41:00

When you see the Forest Service in green now it's it's in a bottleneck of Forest Service and, and, and private land as far as providing animal, you know, animals moving between the swan range and missing range, including for grizzly bears.

41:19

The public will see this property to the north of the properties Glacier Creek Rd.

41:25

That's the County Road of the So the public will see that and and and and benefit from the scenic open space and Styler Dr.

41:32

is on the east side of the property, also a public Rd.

41:36

The public can also view this property when they're recreating on the on on glacier curriculates flows to the property.

41:45

So so by remaining in one parcel, this this will protect the this area from from subdivision.

41:55

The western side of the OR the eastern side of the property along Styler Dr.

41:59

There's a little bench there.

42:00

It could easily be developed into home sites and have home sites subdivided all the way down the property.

42:06

So the easement in that respect is protecting that with A5 acre building of LOPE the the rest of the property remaining open, scenic open space.

42:17

You know, with A5 acre building, basically 97% of the property will remain, you know, forever protected in scenic open space And with both banks of Glacier Creek and that the braided stream channel, it's just the, the, the right to the basic of the wildlife habitat is, is, is very important and critical.

42:39

So, and by protecting the, the subdivision along the, the river, it'll protect the water quality of Glacier Creek and Swan River and, and, and the downstream other resources.

42:51

So, so that was kind of fast.

42:54

I was trying to move it along.

42:57

I want to, I do want to, I don't know.

42:59

Thank everyone here for the opportunity to present this project and and I'll be happy to answer any questions.

43:07

Thanks, Mark.

43:09

Is there anyone else who'd like to speak to this and all?

43:21

Thanks, Ron.

43:22

Is it turned on?

43:23

Yeah.

43:25

But I just wanted to say we're experiencing a lot of development pressure all around the Stoll's place and mine.

43:32

I'm a immediate neighbor.

43:34

This morning we still had a bear trap set up because of a grizzly bear that's become habituated somewhere in the valley.

43:42

And the more we develop, the more people will have to learn how to manage their attractants and the more bears will be in trouble.

43:51

So I've been waiting for this project for over 20 years, watching my Montana Landry Alliance, seeing how they could do.

43:58

And I'm so thrilled and very happy and thankful to Jeff Carroll and Wyatt Stoll.



44:08

Thank you, Ann.

44:14

Yeah, I'll like, come on up.

44:20

Oh, it's still on.

44:21

Hi.

44:21

My name is Jeff Stoll.

44:23

I just want to thank the Commission and and really the county for for a program like this.

44:28

It, it makes these decisions a lot easier for, for us who are excited to, to be able to conserve this land.

44:34

I want to thank the folks on the open lands committee who came out and, and spent so much time and, and the commissioners who came out and visited the property and have spent so much time on this project for us.

44:44

And, and obviously Mark and, and Kaylee as well for all the work that they've done.

44:48

So my family and I just want to express our gratitude for even considering this project.

44:52

And we look forward to working with MLR in, in conserving this.

44:57

So thanks.

44:57

Thanks, Jeff.

45:05

Ron Slater again, and I am also a member of the Bezula County Open Land Citizen Advisory Committee.

45:12

This one I am prepared for our committee.

45:16

Committee members and staff and county commissioners attended a site visit up there on August the 29th.

45:24

This parcel is unique in that it is kind of out there in the middle of nowhere.

45:29

It's in the upper reaches of Missoula County and as Mark said, right in smack in the middle of grizzly bear habitat.

45:37

This was a key point when we discussed this as a committee on September 12th.

45:43

The parcel is mostly flat and is very, very attractive for recreational development.

45:51

The committee voted unanimously that a conservation easement will keep the pristine area open in perpetuity for wildlife and for the other other qualities that Kaylee and Mark mentioned.

46:04

Therefore, the the Missoula County Open Land Citizen Advisory Committee would like to recommend that the County Commissioners approve up to \$300 or \$300,000 of 2018 open space bond funds for the purchase of the 158 acre Stowell Stowell easement request.

46:27

Thank you.

46:32

Anyone else like to speak to this in the room or online?

46:38

OK, well, oops, sorry, Kaylee, go ahead.

46:42

Before we move on, I'll just give a brief a staff report.

46:45

Oh, that's OK.

46:46

Goodness gracious.

46:47

I'm so sorry.

46:48

You're fine.

46:48

You're fine.

46:49

I was happy to wait per the 2000 for the interlocal agreement related to the 2018 open space bond.

46:57

There's a process that has to be followed in the vetting of requests for spending open space bond funding.

47:04

So I just want to cover a few of those high points to show how what that it's a relatively extensive process and just to outline the process that this request has gone through before it got to the hearing today.

47:18

So is Ron mentioned?

47:20

The project was reviewed by the Open Land Citizen Advisory Committee over 2 separate meetings and then that also included a site visit that the Board of County Commissioners joined on August 29th, 2024.

47:37

And the recommendation from the Open Lands Committee was just presented by Ron.

47:42

And a quorum of the Open Lands Committee did meet on September 12th, 2024 and voted unanimously to recommend approval.

47:51

Just a few high points from the staff analysis.

47:56

So a few of the project points that really stood out were the location of the property, as it's within an important wildlife corridor that's based on the proximity to other protected lands and public lands and also Glacier Creek that flows through the property, which supports a healthy riparian forest and wetland habitat.

48:14

This is really important for water quality and quantity of Glacier Creek, which is a tributary to the Swan River.

48:20

Based on staff analysis, the project meets to multiple purposes of the Open Space bond, conserving agricultural lands, Fish and Wildlife habitat, and rivers, lakes and streams, as well as protecting scenic views.

48:35

Hired.

48:35

I also wanted to mention that prior to the public hearing, there were four public comments that were submitted via e-mail, all of which were in support of the proposal and the requested funds.

48:47

With that, the parks, trails and open land staff recommendation is for this project to be funded for up to 300,000 of dollars from the county's portion of the 2018 open space bond.

48:59

Thanks.

49:00

Thank you.

49:03

Any other comments?

49:05

Oh, yes, go ahead.

49:08

Thanks.

49:09

Thanks, Juana.

49:09

Thanks, Kaylee.

49:10

I just wanted to say a couple things.

49:11

First, thanks to the Stowell family for their fantastic generosity here, not just in the donated part of the easement, which is impressive, but also in the transaction costs, which is real money, not just taking money off, but real money.

49:26

And thank you for that.

49:27

It's a huge act of generosity and I appreciate when you said thank you to the county.

49:31

And the way I, I want to choose to interpret that is not thank you to us or even to Kelly, super skilled staff person, but the county in 2018, our residents voted to voluntarily in this crazy time, voluntarily raise their taxes and put that money aside specifically for to this type of purpose.

49:49

And when those folks voted, they voted on ballot language that enumerated the kinds of projects that could be funded.

49:55

And this is exactly that it it checks all the boxes.

49:59

So thanks Kaylee, thanks to the Stoll family.

50:02

Big thanks to all the people who live and vote here who overwhelmingly chose to voluntarily raise their taxes to do just this sort of thing.

50:13

Mic Drop.

50:15

Well, well said.

50:16

And thank you and thank you for making August 29th such a beautiful day with the first dusting of snow in the mountains and the bear beds in the in the grass.

50:24

And it it was a it was a glorious day in the swan that day.

50:28

Well, thank you.

50:31

OK, any further comments?

50:34

How about emotion?

50:34

It's a little language.

50:40

Oh, here we go.

50:40

Oh, thank you.

50:43

Perfect.

50:43

Thanks.

50:44

Thank you.

50:45

I move we adopt A resolution to expand up to 300,000 from the county's portion of the 2018 open Space bond funds toward the purchase of a conservation easement on 150 acres near Condon, Mt for the Stoll Open Space Bond project.

50:59

Second, any further discussion all in favor?

51:03

Aye.

51:04

Thank you.

51:08

OK.

51:09

And with that, we're adjourned.

51:10

Enjoy your day at work.