

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, AUGUST 14, 2025 – 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 Juanita Vero

Commissioner Josh Slotnick

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office

Chris Lounsbury, Chief Administrative Officer, Commissioners' Office

Matt Heime, Planner/Floodplain Administrator, Planning, Development, and Sustainability

Patrick Swart, Planner, Planning, Development, and Sustainability

John Hart, Civil County Attorney, County Attorneys' Office

Tim Worley, Senior Planner, Planning, Development, and Sustainability

Kevin Dantic, Planner, Planning, Development, and Sustainability

Flanna McLarty, Land and Economics Specialist, Community and Economic Development

Andrew Hagemeier, Director, Community and Economic Development

Mattie Scott, Administrative Assistant, Commissioners' Office/Facilities

Kevin Heisler, Planner, Planning, Development, and Sustainability

Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office

Katy Reeder, Planner, Planning, Development, and Sustainability

Patricia Spotted Wolf, Support Specialist, Commissioners' Office

Carey Powers, Communications Coordinator, Communications

Flanna McLarty, Lands Economics Specialist, Community and Economic Development

Erica Grinde, Chief People Risk Officer, Risk and Benefits

Allison Franz, Manager, Communications

Anne Hughes, Chief Operating Officer, Missoula County

Karen Hughes, Director, Planning, Development, and Sustainability

Vincent Pavlish, Civil Deputy Attorney, County Attorneys' Office

1. CALL TO ORDER [Time stamp – 0:03]

2. PLEDGE OF ALLEGIANCE [Time stamp – 0:15]

3. LAND ACKNOWLEDGEMENT [Time stamp – 0:30]

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

4. PUBLIC ANNOUNCEMENTS [Time stamp – 0:36]

- a. Closed Captioning

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA [Time stamp – 1:29]

6. CURRENT CLAIMS LIST [Time stamp – 1:40]

Claims received as of July 31, 2025 to August 06, 2025 by the Commissioners' Office total of \$1,419,517.89.

7. HEARINGS

a. MRFD Station #4 Ambulance Bay TIF Funding

Flanna McLarty, Land and Economic Development [Time stamp – 02:53]

Commissioner Slotnick made the motion that the Board of County Commissioners of Missoula County hereby approve the use of designated TIF funds to reimburse to the construction of the ambulance bay in Bonner Mill TIFID.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Signed RCA was returned to Flanna McLarty.]

b. MRFD Zoning Permit

Patrick Swart, Planning, Development, and Sustainability [Time stamp – 10:18]

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the addition of the ambulance bay addition to the existing Fire Station #4.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Signed RCA was returned to Patrick Swart.]

c. Shoreline Regulations Variance Request

Matt Heimel, Planning, Development, and Sustainability [Time stamp – 15:04]

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the variance from the Missoula County Shoreline regulations to allow dredging in Seeley Lake that exceeds the volume limit based on the application, public comment, staff report, Planning board recommendation and subject to amended conditions of approval.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-139 was sent to Core Water Consulting in c/o Mikel Siemens.]

d. LMB Subdivision

Kevin Dantic, Planning, Development, and Sustainability *[Time stamp – 37:36]*

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the LMB subdivision based on the facts and findings of the staff report and subject to the recommended conditions of approval.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-144 was sent to IMEG in c/o Dan Fultz.]

e. Partnership Health Center Separation Agreement

Kevin Dantic, Planning, Development, and Sustainability *[Time stamp –51:10]*

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners authorize the Chief Administrative Officer, Chief People and Risk Officer, and the County Attorney's Office to work with PHC to initiate & the Successor in interest agreement for the 330 HERSA grant and to sign the separation agreement as well as any documents needed as part of that or subsequent processes.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Agreement will be recorded and notated in an upcoming commissioner journal upon completion of pending signature.]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Vero – Called the meeting to adjourn at 3:01 p.m.

BCC Public Meeting August 14, 2025 – 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-20250814_140015-Meeting Recording

0:02

Welcome, everyone.

0:03

We'll begin.

0:04

Actually, we'll call this order, and you guys can all help me with this.

0:08

We need to wrap this up by 3:00.

0:10

So we're going to try to get through as fast as we can, and we'll begin with the pledge.

0:15

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

0:22

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

0:28

Thank you.

0:30

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

0:36

Is there any, Oops, we have a closed captioning available.

0:40

Go ahead, Cheryl.

0:42

Hello, everyone.

0:43

If you're joining us for this meeting virtually today, instructions for turning on closed captioning are going to be on your screen momentarily.

0:58

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

1:03

Just as a reminder, there will be multiple chances during the meeting for public comment, virtually and in person.

1:08

During those times, if you would like to speak, we ask that you use the Raise Hand feature.

1:12

If you are on Microsoft Teams.

1:14

This is the small hand button at the top of your screen.

1:17

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

1:20

Then once called upon, you'll need to hit *6 to unmute.

1:24

If you have any questions during the meeting, please come and find me in boxing Juanita.

1:28

Thank you.

1:29

Is there any public comment on items not in the agenda?

1:35

Don't see any in the rumor online.

1:36

We'll begin with we have 5 hearings.

1:39

Oops.

1:39

Excuse me.

1:40

Current claims list claims received as of July 31st to October.

1:45

I'm sorry, August 6th by the Commissioner's Office.

1:47

Total \$1,419,517.89.

1:52

We have 5 hearings.

1:54

We'll begin with the rural Fire department station #4 Flanna Mclarty.

2:33

Almost there.

2:35

Great.

2:53

OK, I have a request before you for additional to funding for the ambulance Bay at in the Bonner Mill site.

3:07

Maybe.

3:08

As you recall, we were here back in April with a request for TIF to cover the construction cost of adding on an ambulance Bay at the fire Missoula Rural Fire District station #4 out at the Bonner Mill site.

3:26

That was approved by the commissioners in April.

3:30

After that, Missoula Rural Fire went to bid for construction for this project and the construction bids came in well over the cost estimate, the lowest bid being \$399,359, which is \$163,856 higher than the cost estimate.

3:54

And so they have put in a request for additional TIF funding to cover the excess cost from that came in with these construction bids as they don't have funds available to cover this additional cost.

4:13

The request does meet all of the guiding documents, the Missoula County Mission Vision, values and goals, a comprehensive development plan for the Bonner Mill TIF, and the Missoula County Growth Policy.

4:32

And the main question is do we have the money available for this additional request?

4:38

Currently in the Bonner Mill, Tiffid, the cash on hand is around \$1.63 million.

4:44

The annual revenue is estimated to be just under \$600,000.

4:50

The annual expenses are estimated to be around \$427,000 and we do have to have a cash reserve for the debt service in that district of around \$310,000, which means that we really have a little over 1.4 million available in cash.

5:08

The total project cost for this would be \$446,150, which would mean after this expenditure the fund would still have a little over \$1,000,000 available for other projects.

5:37

Our staff report finds that it is a valid use of TIF funds per MCA 715-4288.

5:45

It does meet a purpose and a need because the lack of emergency services, buildings and equipment is essential to the safety and well-being of the area.

5:53

We do have adequate funds to support the request and we did receive a recommendation from the Missoula Development Authority board last week for this request.

6:12

And unless there are any questions, I have a motion for you.

6:19

Thank you.

6:21

Is there anything that the MDA board recommended that was different than the staff reporter?

6:28

They had general questions about why the cost estimate was so different from the bids coming in the construction bids.

6:37

And we heard that there were some issues with estimating the materials and the labor.

6:44

That's kind of where the shortfall happened.

6:49

Otherwise, Missoula Rural Fire is working with MMW architects and worked with them on construction of that station.

7:02

Oh, I'm going to get the a few years ago when it was constructed.

7:06

So yes, just a little unsure why the cost estimate was so off.

7:11

But have they have until next week?

7:17

The bids are good until next week.

7:18

So we're trying to push through to make a decision to lock those bids in so they don't go higher.

7:24

Thank you.

7:25

Do you have any questions?

7:29

Anyone from Rural Fire want to speak to this?

7:35

Good afternoon Commissioners Paul Finley from Missoula Fire.

7:37

I'll keep my comments brief.

7:38

Thank you for hearing us a second time on this request.

7:42

This certainly wasn't the intention of both Missoula Rural Fire and MMW Architects, but we appreciate the opportunity to be considered again for a very worthwhile 'cause we, as Flanagan mentioned and thank you Flannah and Andrew for their work.

7:57

But as Flanagan mentioned, there were some questions regarding the increased cost through the MDA board.

8:03

And we do have Mark Stelling here today from MW Architects who would be glad to answer any questions regarding those costs as well.

8:11

But the plan is for him to prepare some of that presentation or put into presentation some of that work in front of the MDA board at their next meeting to help answer any of those questions regarding costs.

8:23

So thank you again.

8:25

Thank you.

8:27

And I'm sorry, I wasn't sure if Mark is in the room or online.

8:29

Oh, hi, Mark, do you want to add anything?

8:32

Come on up.

8:37

OK, thank you.

8:37

I'm Mark Stelling with an MW Architects.

8:40

We can't get into the details.

8:42

I don't want too much time.

8:44

But ultimately we did this estimate based off of the original build, which is a few years back.

8:49

We added plenty of contingency to the hard material pricing that we're matching identically in this new build.

8:55

The construction industry, it's a volatile market.

8:57

They're unexpected overages.

9:00

It's really a project of this scale where you don't have this predictable economy.

9:05

There could be 1 sub discipline that is off of what you'd expect and it could derail the entire cost once you get this escalations for overhead and profit and other general conditions of the contract.

9:17

So we're going to put together a thorough report for the NBA to review.

9:21

But this happens pretty frequently in in our business and nothing too surprising but unfortunate all together.

9:29

So thank you.

9:31

Thank you.

9:33

Is there any public comment?

9:38

Not seeing any.

9:41

I would move to approve using an additional \$163,856.27 in TIF funds to reimburse for construction of an ambulance Bay at Missoula Rural Fire District Station 4 in the Bonner Mill Tax Increment Financing District.

9:59

Second, echoing what Chief Finley say, this is as important, critical infrastructure all in favor.

10:07

Aye, OK.

10:09

Our second one is Matt Hymel.

10:14

I'm sorry, Patrick.

10:18

Patrick Schwartz with the zoning permit, you even have that open.

10:26

Let me send it off.

10:29

I look meeting Katie.

10:32

You're not muted.

10:34

Sorry.

10:35

That's OK.

10:42

Good afternoon.

10:43

For the record, Patrick Swart with planning development and sustainability and I'll be presenting the staff report for the zoning compliance permit for that same project, the ambulance pay addition for Missoula Rural Fire District out at Station 4.

10:58

Here's a quick look at the vicinity map for the project.

11:02

As we can see, it's directly adjacent to the Bonner Mill site here, The property zoned Industrial Center heavy, represented by this shading in black here, and it's directly adjacent to Neighborhood Center zoning shown in pink and an agricultural zone known as rural residential small agriculture shown in yellow.

11:23

So as we discussed, this proposal is for an ambulance Bay addition on the existing fire hall.

11:29

It'll be located on the East End of the property.

11:33

Here we can see that addition being tucked into that nook on the property.

11:38

This proposal doesn't comply with our current zoning regulations, but because Missoula Rural Fire District is a qualifying agency under 76 to four O 2 of Montana Code Annotated, they're allowed to develop contrary to our zoning regulations as long as they do that through a public forum.

11:55

The section of statute commissioners doesn't give you the authority to approve, conditionally approve or deny it.

12:00

They're allowed to proceed as long as they take public comment at today's public forum.

12:09

This particular request varies from one section of the zoning in Chapter 2, the zoning District building placement requirements, which requires a 25 foot set back on all sides of the property.

12:22

This set back for the proposed edition will be 19.29 feet, so it'll encroach a little over 5 feet into the set back of the adjacent Bonner Mill site property.

12:33

I also wanted to mention the Chapter 6 screening and buffering requirements.

12:37

Generally, new industrial developments adjacent to commercial, mixed-use and residential districts require this 30 foot wide buffer that was mentioned in the letter we sent out to adjacent property owners.

12:51

But this in fact actually meets one of our zoning exemptions from that because of the size of the addition being under a certain square footage, it actually does not need to meet that buffering standard.

13:00

So it will be in compliance with that section of the regulations.

13:08

From a procedural standpoint, we published a legal ad twice in the Mizzoullian on August 2nd and August 9th.

13:14

Adjacent land owners within 300 feet were notified by mail on August 1st.

13:18

Advisory agencies were also notified by e-mail on August 1st and we posted a Missoula County voice page and to date we have not received any public comments on the proposal.

13:30

Of the agencies that were contacted, we received 2 comments, one from Missoula County Public Works, which just noted that any future structures on these sites will require the appropriate building and or trade permits.

13:41

And they stated that depending on the location of the addition property line setbacks may require special construction conditions per the International Building Code.

13:48

And then we also received a comment from the Montana Department of Transportation just noting that a turning movement analysis for the fire trucks housed at this location would be beneficial for better understanding impacts on both county and state roads.

14:05

And that's all I have for the staff report.

14:08

Thank you.

14:10

Is there any public comment?

14:15

We don't really have a choice.

14:16

So OK, not seeing any in the room or online.

14:20

We still make a motion.

14:22

OK, great.

14:23

Thank you.

14:24

Now Matt Heimall.

15:04

Good afternoon.

15:04

I am Matt Hymel, Planner and floodplain Administrator and shoreline program Reviewer with Missoula County Planning, Development and Sustainability.

15:14

And I'll be presenting a request for a shoreline permit and variance at 3128 Highway 83, Seeley Lake.

15:21

This is the Lindy's property and this regarding a request for a variance to exceed the dredging volume limit in the county shoreline regulations.

15:31

Excuse me.

15:33

So 1st, I'm going to give a little bit of an overview about the Lakeshore program because we don't typically see projects in the shoreline program come up in a public meeting setting.

15:41

And then I'll give some details about the subject property, the request, go over some criteria and present our recommendation.

15:51

So the Lakeshore program in Missoula County is authorized under Lakeshore protection statutes that generally confer the authority to preserve, protect the Lakeshore ecosystem to the local governments for which lakes over 20 acres are within their jurisdiction.

16:10

And in general, I have the the intent of the regulations on the screen, but in general it's a it's a balancing act trying to preserve the Lakeshore environment and also maintain the interests of private property rights and their interest to develop the lake in a manner that has low impact.

16:29

One of the key elements in our Lakeshore program is the shoreline protection zone.

16:34

So in addition to regulating activity on the lake and immediately off the the Lake Shore, we have a shoreline protection zone that is measured AS20 horizontal feet back from the mean annual high water elevation on several lakes.

16:48

Missoula County actually maintains benchmarks through our surveyor's office to set those mean annual high water elevations generally on five year averages might run a little longer if we need to exclude one year because the water is too low or too high.

17:04

And Seeley Lake has a mean handle high water elevation of 3998.7 feet.

17:10

That's actually a decrease of 4/10 of a foot or just under 55 inches for our last period.

17:21

Excuse me.

17:21

So the property we're talking about is on Seeley Lake.

17:24

We are actually looking at the southeast corner of the southeast Cove of the of the lake and an existing Marina, commercial dock and seaplane base.

17:37

Here's a close up aerial aerial.

17:39

The image and the request centers on the applicant presenting in their application that overtime over 40 plus years there has been a diminished use capability of this dock due to sediment flowing to this part of the lake and being deposited in this area with no out outflow.

17:57

So this image from the application is from 2005 showing the there used to be actually a larger dock area airplane could park closer to the shore.

18:07

And here's a fuzzy image from 1995 from the application also showing more or prior use on on the property.

18:16

Here's a photo.

18:17

I have a few staff photos from last July.

18:21

So here's a photo of the dock I Here is a photo looking N cross an area proposed for dredging, an area looking S proposed for dredging and then standing on the South portion of the shore looking north and standing on the South portion of the dock looking northeast I would imagine.

18:41

And another one, and this is also looking north, the shoreline protection zone generally starts along the edge of that vegetations.

18:51

This is one of the few properties on this part of the lake that has some riparian vegetation growing along the lake.

18:59

And here's some legal non conforming use of fuel station and A food truck that's been in use since since before the shoreline regulations.

19:09

So let's talk about dredging.

19:11

So in general with the shoreline regulations, if we're ever excavating material, whether it be the lake bed itself or organic that has deposited on top of the lake bed, that is defined as dredging in our regulations and some and we have general standards of the regs, which I'll speak to in a minute.

19:29

But the policy consideration that guides these regulations that when you are dredging you can call a suspension of the fine but materials and that is a potential for some adverse impacts that we try to mitigate through the regulations.

19:43

We have general standards for dredging.

19:45

Dredging is a permitted use and can be done through a a administrative permit.

19:50

So most of our permits are done through through staff.

19:52

It's only when we have a variance that we go to a a public process.

19:56

And number one key point, we need a lake restoration plan.

20:01

We're talking about dredging.

20:02

So it's not just.

20:03

Let's dredge the lake.

20:04

It's how can this be in the framework of how are we we restoring to prior good conditions that helps some sort of ecological benefit.

20:14

So we're not looking at a potential adverse impacts.

20:19

And 2nd criteria key point is that we limit dredging projects to 500 cubic feet of volume.

20:26

That is key here because the requested dredging is in the volume of about 611 cubic yards or 33 times the limit set in the right regulations.

20:37

So for variance review, again, it's typically administrative and like in a permit, an applicant, an applicant can request a variance that would grant relief from the requirements which would otherwise prohibit a project.

20:48

First it goes to the planning Board for a recommendation and then the board of county commissioners reviews that that of recommendation with the project and we do provide public notice.

21:00

Here's some of the criteria that we look at.

21:03

We have provisions of the Lakeshore Protection Act, the variance itself, project impact assessment needs to be prepared and a few other criteria as well, which if I need to pause and go over findings for these, please feel free to let me know as well.

21:20

Primary governing body consideration criteria is really core of what what we look at key point #2 here existence of a of a hardship.

21:30

So one of the hardship claims from the applicant is that the continued sedimentation has reduced their their use of this legal dock.

21:39

And by going through this, this stretching project, which I'll show that the specifications, it's designed in a manner to have the least impact possible and then the project impact assessment requirements here.

21:52

So these sort of follow the what we would look at in a environmental impact statement as well.

22:01

And this was all included in the application as well as specific responses.

22:09

So again, the property here, Lot 1A where dredging is proposed, Lot 3A is proposed to be an area where the materials dredged are disposed of.

22:23

So here is a site plan and we have a cropped image here.

22:28

The idea is to have this, there's about a 190 foot frontage of the lake that's proposed to have this dredging in in front of it.

22:37

And there would be a turbidity curtain around the perimeter and the blue area is highlighting the area where dredging is, is proposed.

22:49

So off of this this red line just off of the high watermark, there are four paths where an excavator is proposed to be placed.

22:59

That excavator will then have an arm that can reach over the lake and it will lower a suction dredge into the lake.

23:05

So we're not talking about a floating barge that literally scoops up the the lake.

23:10

This will be an excavator that that lowers of equipment that agitates organic material with within the lake.

23:18

And I have a profile image here.

23:20

So last April, the applicant conducted some field measurements to identify this zone in the lake, this sort of purple area where I'm where I'm zooming in, zooming in.

23:31

And the idea is was to highlight the areas where there's has been deposition of organic materials on the lake bed.

23:39

And so again, their proposals really to only have this suction equipment that can operate with this looser organic material rather than excavating into the lake bed itself.

23:55

And here's another image again showing the some general dimensions of the equipment to to be used.

24:09

What's the definition of a littoral or littoral zone so that the remaining this the material in the green essentially area of the water where there can be sunlight penetration as well as area that we'll have just off of that shoreline zone?

24:25

OK, thank you.

24:27

And the applicant represent might have a much more proper technical definition than I that I do.

24:34

So let me if there's any other questions about the schematics, I'd be glad to go over.

24:39

I know I went kind of fast in the interest of your time.

24:43

Thanks.

24:44

OK, So agency and public comments, we did receive several agency comments, which I'll summarize Forest Service had no, no purview, but also #2 Montana Fish, Wildlife and Parks did have some concerns about the project and specific recommendations as a basis of of supporting this work.

25:06

And we did integrate those those recommendations into the report primarily to have a that the buffer that that was just mentioned and some project monitoring over time.

25:19

Both Sea Lake Water District and Clearwater Resource Council noted that the project would not have significant adverse impacts for items they are concerned about and and support.

25:31

Number 5 is important here.

25:32

We had the Confederated Salish and Cooney Tribes Preservation Department did provide a comment and objection to the project and recommended the permit not be approved for for for dredging.

25:43

We do have a recommended condition on the permit that should any cultural resources or or artifacts.

25:50

We found that work with cease immediately that the basis for the comment was that according to the preservation department, there are oral histories that would indicate some historical presence in the area that there could be cultural resources or artifacts that may be disturbed.

26:08

In our review, we did find that the suction dredge method would not be excavating into the older silty lake bed and through the condition there would be essentially that that work stoppage if if culture resources are discovered in this work.

26:27

The criteria as well set in state statute for issuance of permits and the variance criteria are also a heavily geared towards those physical environmental impacts.

26:41

So we did find general compliance with the criteria and policy for for issues of of a permit with these recommended conditions of approval.

26:54

Number six, I do want to mention Missoula County Environmental Health did have some concerns about the deposition plan for the, but the materials to be dredged and how that might fall under under health codes.

27:07

That was worked out after the Planning Board hearing and environmental Health staff did inform me that there are no conflicts with with health code.

27:14

So we have an amended set of conditions that would essentially remove compliance with with with the health code because there are no conflicts.

27:26

And also we received 9 comments and support and also some public testimony at the Planning Board hearing in support of the project.

27:36

So again, request in technical terms, request from the dredging volume limit of 500 cubic feet, that's Section 43G2B of the Missoula County Shoreline Regulations.

27:49

The staff recommends approval subject to what will be 8 conditions based on the amendments.

27:58

And the Planning Board on August 5th did unanimously recommend approval of the project subject to the conditions as well.

28:07

So to highlight those conditions of approval, one, basically facilitate establishment of riparian vegetation within the Toronto protection zone where practical and that's something we can identify in the field during the project.

28:22

Number two and three have to do with our comments from fish, wildlife and parks to really help protect the sensitive shoreline zone and the and the habitat they're they're in.

28:33

And we're requiring a this extra buffer without dredging of up to 10 feet in in width.

28:41

So if we have the so from the proposed point where dredging is supposed to start or proposed to begin closest up to the lake, we're recommending that point, that horizontal point where it starts to be pushed out up to 10 feet.

28:54

That exact point is to be essentially highlighted or stake in the field with staff.

29:00

The condition is written with considerable flexibility because staff and Fish Valley from parks does notes support of the project.

29:09

We want to make sure that if there's a sensitive areas to preserve that we have that stake in the field and we're not dredging too close to the actual physical late Lakeshore.

29:21

And condition 3 is to have longer term project monitoring oversight so that we really know the long term effectiveness of this project.

29:30

This is really the first of its kind for Missoula County.

29:33

So we want to make sure we set a very good example and also make sure that the project is effective.

29:42

And one way to ensure that that happens is to have this longer term monitoring.

29:48

One recommended amendment to this condition of approval is to have this be annual monitoring through five years.

29:55

So we can see how not only the effectiveness in the shorter term after that the project would commence if approved, but also to see what happens within a few years.

30:04

Is this material going to resettle or I mean, is there going to be sediment coming into this portion of the lake and settling faster than anticipated, especially because there will be other projects that might want to have a similar sort of project.

30:20

So really making sure that this works the longer term will be important for everyone's interests and the final set of conditions are fairly standard for shoreline projects.

30:31

We do have #5 of course in direct reference to the CSKTE concerns and requiring compliance within 30 days of completion or certificate.

30:43

We're recommending removal #8 of course, so that because we already have confirmation from the health department and #9 confirmation from DNR CI should know we did have approval from Department of Environmental Quality and approval from the Army Corps of Engineers for this work.

31:02

The last regulatory pieces of the puzzle were Missoula County, of course.

31:06

And also the DNR CDNR approval is contingent on Missoula County.

31:10

So we do have e-mail correspondence indicating that they're essentially waiting to see Missoula County's decision on the project.

31:20

So I do have a recommended motion as well.

31:24

I'm available for any questions.

31:25

If we want to backtrack, look at any of these schematics or criteria.

31:29

And I know the applicants representative is available and the property owner is also here and might have a some some samples.

31:38

Thanks, Matt.

31:40

So I'm going to mispronounce your name, Mikkel Simmons.

31:43

Simmons Mikkel from Core Water.

31:49

Thank you.

31:54

I'm Mikhail Siemens.

31:55

I'm a environmental engineer out of Kalispell, Mt and I am going to keep this brief and just honestly want to make myself available to your schedule for just questions because Matt has done a very thorough job.

32:10

We've been in constant communication during the permitting process and I don't really believe he left off anything significant There was created I think it's series one through 7 figures that are really detailed construction elements of the project.

32:25

If you guys wanted to go through those images together, I'm more than happy to describe how this project would be completed from the beginning to the end.

32:33

But I do want to be considerate and time sensitive to your guys's schedule.

32:37

So I'll just open up for questions from myself or Mike Lindemer, the owner of the project who is also present.

32:45

Thank you.

32:45

Well, maybe we'll have Mike come on up if do you have anything to add?

32:54

No, I just, I guess we've our family has been there.

32:58

I'm second generation.

33:01

I'm trying to do this project so my mic is third generation can keep this business going.

33:07

And we've been trying to do this for a long time and we see the problem with the lake disposing all of the weeds and everything because the prevailing winds push everything down there.

33:20

And then we, we have an issue and we're trying to address it and we want to do it right.

33:26

Thank you.

33:28

Well, maybe we'll jump to public comment and and then if folks have questions, well, you're here, Mikel.

33:38

So come on up, Tom.

33:46

Hi Tom Browder, I'm really well, I wear a number of hats up in Sealy, but regarding this with the visitor center and the importance of Wendy's lawn, which is really as close as we have to a gathering place in Sealy, keeping it in good shape which is what we local see this project doing is important.

34:11

So it's just, you know, we have it the only seaplane base in the state, the only Marina on the lake.

34:18

It's just kind of a hive of activity, particularly this time of year with our mill closed.

34:24

You know, we need to grow our tourist business.

34:27

If you joined us for the 4th of July, you probably had 1000 people there for a rockin band and fireworks.

34:34

So from a community standpoint, we really want to see this done.

34:41

The other hat is on the board of the Historical Society.

34:47

Over the years, we've gathered what we have, you know, artifacts from Indigenous activity in the area.

34:59

From all we can tell, there was never any year round occupation because the weather sucks up there.

35:06

I mean, it's just cold.

35:08

But what we have found like some sweat lodge remnants has all been on the West side of the lake.

35:18

If you know the lake, the outlets about 1/3 of the way up on the West side.

35:22

So most of the activity has been over there.

35:25

The trail over Jocko Pass came over there and this area what we call the South end actually started was privatized from what was in Northern Pacific Railroad.

35:40

I'm sorry, Tom, if maybe another minute.

35:43

Sure back in the 40s.

35:44

So my last point is the houses on the South end have been there a long time.

35:50

So the this dredging will in most get back to what was there in let's say 1947.

35:59

That's all.

36:01

Thank you.

36:03

OK, it's 2:35.

36:05

Is there any more public comment online or in the room?

36:11

OK.

36:11

Any questions for Mikhail with the Lindemars?

36:21

Don't see it, Matt.

36:23

Or Yeah, gave us a kind of a thorough pre presentation earlier in the week.

36:28

Go ahead, comment.

36:30

Go ahead.

36:31

Yeah.

36:32

And this isn't the first we heard of it.

36:33

We hadn't heard about this from Matt the other day and before the resolution, I just wanted to commend you all for doing such a thorough job, a careful job really being considered of the lake of the history, etcetera.

36:46

I'm just offering some praise and thanks.

36:48

Thank you so much.

36:49

We did take a lot of diligence in this application and Matt has complimented us about setting the bar very hard, high in regards to variances and it is only our job to do this in the most sensitive way we possibly can.

37:03

So thank you for acknowledging that.

37:04

Yeah, that came through.

37:05

Thank you.

37:06

I'm ready for a resolution.

37:08

You can bring up that language, Matt.

37:12

I move to approve the variance from the Missoula County shoreline regulations to allow dredging in Seeley Lake that exceeds the volume limit based on the application, public comment, staff report, Planning board recommendation and subject to amended conditions of approval.

37:25

It's a very dramatic motion.

37:27

Second all in favor.

37:30

Aye, aye.

37:32

Thanks, all.

37:33

OK.

37:36

Kevin Dantic with the LMB Subdivision.

38:10

Yeah, good afternoon, commissioners.

38:11

For the record, my name is Kevin Dantic, planner with the Missoula County Department of Planning, Development, Sustainability.

38:17

Today, I'll be presenting the LMB subdivision request.

38:20

It's brought forward by Shadow Asphalt Maintenance LLC and LMB Property Holdings LLC with IMEG acting as their technical representative.

38:29

The property's address is 9435 Futurity Dr.

38:33

located about .8 miles South southeast of the Interstate 90 intersection known as the Y Subject parcels on Futurity, about 1/4 mile West of the Highway 10 corridor bit the background on the zoning classification parcel zoned ICL Industrial Center Light.

38:53

Missoula County zoning regulations state the zoning classification supports opportunities for light industrial artisan, limited commercial activities, maybe single use or incorporate a mix of uses.

39:04

Permitted activities within the zoning district include construction, sales and service, maintenance services, manufacturing and production, and warehousing and wholesaling, among others.

39:14

Due to the nature of the businesses, a nearby transportation network is warranted.

39:19

Unlike some zoning classification, ICL permits multiple principal uses per lot, and the buildings themselves can incorporate a mix of uses.

39:29

Moving on to the growth policy, goal 8, we're proactively plans for growth by getting development to appropriate areas.

39:37

Objective 5.3 sites industrial areas appropriately.

39:41

The subdivision proposal accomplishes both recommendations as the general vicinity and a lot itself of an industrial in nature for many years and are not considered critical wildlife habitat.

39:54

To recap, subdivision proposal conforms with the Zoning regulations, Missoula County 2016 growth policy and Comprehensive Plan.

40:03

The proposal seeks the aggregation of 2 tracks of record with no infrastructure or development proposed as part of the subdivision.

40:13

So why are we proposing an aggregation of one lot subdivision with no development?

40:19

It the proposed development will at full build include 17 industrial condominium units that'll be available for fee simple ownership.

40:28

Per 76 dot 3.203 of MCA.

40:31

The land owners cannot apply for a condo or townhome exemption.

40:36

As the original Missoula Industrial Park subdivision was created in 1966 and does not mean the meet the minimum requirements of the Montana Subdivision and Planning Act of 1973.

40:47

This subdivision review is necessary to complete the goals of individually owned units.

40:56

Here's the preliminary part of the LMB subdivision.

40:59

The aggregation will involve rejoining the E 50 feet of Lot 7, Block 5 that was originally separated off from the rest of Lot 7 in 1973.

41:09

We're going to bring those two back together.

41:13

The mitigation of impacts for the proposed 1 unit subdivision will be accomplished in accordance with subdivision and zoning compliance review.

41:21

You will notice commissioners, there are less subdivision conditions with this proposal than others that have come before you.

41:27

That is because many of the impacts will be addressed during zoning compliance review.

41:32

Land use and zoning permit will take into account parking, landscaping, circulation, grading and drainage and non motorized facilities among others.

41:43

As you can see today we'll be focused on the impacts that'll be addressed with the subdivision review process.

41:48

Water usage and fire infrastructure will both be addressed as separate conditions of approval for the subdivision.

41:54

Impacts to wildlife and the environment are included in the submitted covenants to be recorded along with the final plat.

42:01

Roads and traffic are not attributable to the subdivision as only internal access drives are proposed and a traffic study was not required from either the Montana Department of Transportation or the Missoula County Public Works.

42:16

Storm water and drainage is overseen by Missoula County Public Works.

42:19

It has been reviewed and approved in the building permit application for the first condo unit that is currently in review in all the offices at full Build Out subdivision.

42:33

Here's the proposed conditions.

42:36

17 industrial condo units are to be separated in three different buildings, AB and C Building A, which abuts Futurity Drive at the entrance of the property, will be the first constructed and will contain 5 individual condo units.

42:52

Those Building A is under a permitting process right now with applicable county agencies for Missoula County Subdivision regulations.

43:03

The application must address the following criteria.

43:06

Upon review, staff has found that there will be no impact on agriculture and agricultural water user facilities given the history of the land, the current use and surrounding properties.

43:17

The subdivision meets the road and pedestrian facility standard in the subdivision.

43:21

Regs and impacts of the possessed train facilities will be analyzed at the time of zoning compliance.

43:26

Those will involve sidewalks next to the continent buildings.

43:30

Water and sanitation systems, along with solid waste, are under the jurisdiction of state and local health authorities.

43:36

This proposal is exempt from Parkland dedication or cash in lieu as it is a minor subdivision.

43:44

No adverse impact of schools.

43:45

It's an industrial condo and the subdivision was found to meet fire suppression criteria with the required conditions of approval, including the installation of fire sprinklers.

43:56

Missoula County law enforcement services are available to the subdivision Water and sanitation.

44:03

We're recommending a condition in order to monitor and report both the domestic and irrigation use for the exempt well that was approved last year.

44:11

In 2024, The existing well log and water sample results show the water quantity and quality are sufficient for the proposed uses.

44:20

The DNRC threshold of 10 acre feet per year would not be exceeded.

44:24

At full build out, the subdivision has an estimated consumption of 4.5 acres feet per year, 1.49 for domestic and 3.04 for irrigation.

44:37

We're required to verify subdivision standards are met.

44:40

These include, if applicable, roads, grading, drainage easements, Fire Protection, and assessment of natural hazards.

44:49

Primary primary review criteria are necessary component of the subdivision, findings of fact and conclusions of law.

44:57

Dive into those really quick here.

45:00

2016 Missoula County Growth Policy recommends consideration and of historic and current agricultural use, productivity and profitability when considering agricultural impacts.

45:11

The property proposed, a subdivision is not located on land currently used for agricultural purposes.

45:17

It is considered farmland of local importance.

45:19

However, property has no surface water rights and no irrigation facilities.

45:26

The subdivision will not have adverse impacts to agriculture or the water facilities.

45:31

Again, it's access via for cheer to drive.

45:33

What's a 60 foot public right away.

45:36

It has a current unpaved width of approximately 25 to 30 feet.

45:42

The internal access drive to the 70 cotton reunions we reviewed and approved as part of future building development.

45:47

As I mentioned, there's a water and sanitation report that was included with the proposal, which includes proposed drainage infrastructure.

45:58

Stormwater design was completed to ensure that the 10 year flood event does not overtop roadways and buildings and are not buildings are not inundated during the 100 year 24 hour storm event.

46:09

Will serve letter for the City of Missoula.

46:12

Sewer was included in the packet and once again a permitted well is already on site.

46:19

Subdivision does not require Parkland.

46:21

Missoula Rural fire will meet the Fire Protection requirements with those internal fire sprinklers for fire suppression.

46:31

Property itself can mix of grasses and invasive weeds typical of a property used for industrial storage.

46:40

Montana Historical Society commented on a historic railroad located to the South of the property, however, but they said because of previous ground disturbance, there'd be no cultural historic properties affected by the proposed subdivision.

47:00

Fibro is autobahn Alfred, No comment on the subdivision.

47:04

Several bird species might occupy the area, however their preferred habitats are not present or adjacent to the subject property.

47:12

We have US Hwy.

47:13

10, Interstate 90 approximately a little over half mile away.

47:18

Industrial development surrounding that has numerous auto storage facilities.

47:23

Montana Fish Oil and Parks recommends covenants.

47:25

Those covenants were included in the submittal.

47:29

A weed management and vegetation plan was submitted that was approved by the Missoula County Ecology and Extension and as a condition of approval it requires recording of this document as part of the subdivision covenants.

47:45

Subdivision doesn't have any FEMA designated fun plane.

47:48

No slopes of 25% or greater.

47:51

Once again we have a storm water design that is in accordance with DEQ 8 for two year, 10 year and 100 year design storm events.

48:02

We have a silver professional land surveyor that's in compliance and the subdivision proposals fault.

48:09

All necessary application procedure and has been reviewed within the procedures it provided in the Missoula County Subdivision regulations.

48:18

Provisions include easements for utilities to be shown on the preliminary and final plat and featurity.

48:24

Dr.

48:25

does provide that legal and physical access subdivision will be within substantial conformance with a preliminary PAT and as a as recommended by recommended conditions, Utility easement and storms drainage easements will be included.

48:43

Included in the recommended conditions are standard RSID and RSID process verbiage of future improvements.

48:50

The plans for installation of fire sprinklers will be approved and reviewed by the Missoula Royal Fire District and the language on the final plat shall be reviewed by PDS staff prior to final plat approval.

49:02

Covenants pertaining to water use restrictions and automatic fire sprinklers will be added.

49:06

In addition, weed management plan will be recorded.

49:09

Proceeding 3 Items cannot be amended or eliminated without governing body approval.

49:14

Received one public comment on the subdivision.

49:17

The neighbors have no issue with the subdivision itself, however, the road would like to.

49:22

They would like to see the road paved at some point in the future.

49:28

In conclusion, staff has a recommended motion on the screen before you.

49:33

Thanks Kevin.

49:34

Is there anyone from Shadow Asphalt or LMB or IMEG that would like to speak to this?

49:40

Yeah, Dan Fultz with IMEG here with any questions, but Kevin did a good job pretty pretty much covering it all.

49:49

The goal is to instead of having industrial rental units on here that are allowed by zoning to actually have them available for sale if a future business owner wants to buy that.

49:58

So, but yeah, any questions, let me know.

50:01

Other than that, thank you.

50:02

Did a good job.

50:03

Thank you.

50:05

Shadow Asphalt or LMB?

50:08

How about public comment?

50:10

Public comment, none in the room doesn't seem to be any online any questions just I, I guess I can double check with Kevin.

50:19

But really the only reason we have to do this is because of the time that this whole project or this land was created in in legally created in this format, which was 1966, correct.

50:30

1966, yeah.

50:31

And if this was what, what was the, is it 1972 Montana Subdivision and Planning Act was 197373.

50:37

So it was after that 1973 we wouldn't have to do this, but prior to 73 we have to.

50:41

So that's correct.

50:43

And I'm excited about more opportunities for people who work in these industries to have property to buy rather than to rent.

50:49

So with all that, I would move to approve the LMB subdivision based on the findings of fact and conclusions of law on the staff report and subject to the recommended conditions of approval.

50:59

Second, any further discussion, public comment, all in favor.

51:04

Aye, Thank you.

51:06

Thanks, Kevin.

51:07

Thank you.

51:07

Good job, very thorough.

51:10

OK, Chris Lansbury Partnership Health Center separation request.

51:28

Good afternoon, commissioners.

51:29

Chris Onsbury, the Chief Administrative Officer for Missoula County.

51:32

And what you have before you today is a request for the Board of County Commissioners to consider a separation agreement between Missoula County and Partnership Health Center, our federally qualified Health Center here in Missoula.

51:42

So I wanted to give just a little bit of quick history here about Partnership Health Center for those who might not be familiar.

51:48

But back in 1992, a date that actually predates Chris joining Missoula County since I didn't come along until 1998, Missoula County applied for a grant to create a federally qualified Health Center here in Missoula and Partnership Health Center became that clinic.

52:07

Over the years, this was a partnership that involved a great deal of the community, our two hospitals and many other providers to pride try and develop a Health Center that could provide for the needs of Missoula County's residents in all aspects of health, be that mental health, physical health, or even dental health.

52:27

And at this point, Partnership Health Center has grown over the years from once being just a few rooms in the health department to providing facilities across more than five clinics here in Missoula County and serving about 19,000 patients each year.

52:41

So it's grown substantially over its time here with Missoula County.

52:46

And since its founding, it's always been the intention that partnership would grow as the county grew, right?

52:52

So we started off back in 1992 at about 80,000 residents, now a little more than 120,000 residents.

52:58

And partnership has grown in that time to be able to serve, like I said, more than 19,000 patients through 300 FTE.

53:05

So it's become a substantial part of that.

53:07

But with that growth, it's also created some challenges just as the healthcare world changes and as local government changes, those two things don't always sync up perfectly.

53:15

And over the years, both Partnership Health Center and Missoula County have worked really hard to make sure that we're always meeting both each other's needs as well as the community's needs.

53:24

And they've spent significant time as a federally qualified Health Center investing in their facilities and their staff to meet those needs.

53:31

And they do an exceptional job at that across Missoula County.

53:37

So over the years, in order to meet some of those challenges, we've looked at all kinds of different ways that we might be able to assist in providing flexibility that folks might not think of as traditional local government.

53:50

And that is necessary when you start talking about healthcare because you have unusual positions that we don't really think about being tied to local government, things like doctors and nurses in large quantities or dentists or pharmacists, not to mention all the staff that goes along with supporting them.

54:05

And so over the years, we've looked at different ways that we can be flexible.

54:08

And so we've modified the Co applicant agreement from 1992.

54:11

The last update was in 2006.

54:13

And we've looked at how we can get specialized outside legal counsel that's familiar with medical claims and the federal Tort Claim Act, which provides medical insurance for providers at Partnership Health Center.

54:27

But those that ability to be flexible and and meet challenging and different needs has also meant that it's put pretty good strain on both Partnership and Missoula County.

54:39

Missoula County is a limited powers government, which means we really can only do the things that the state says we can do.

54:45

And Partnership is a medical clinic and its primary job is to serve the needs of patients.

54:49

And those two things don't always mesh perfectly, but we've done a really good job, I would say, over the years and figuring out ways to adapt on both sides of the street to make that work.

54:59

But as they've grown and as we've grown, it gets more and more challenging to do that because the needs in that healthcare space just don't slow down.

55:06

Just this last few years here for Partnership Health Center, they've had to look at changes in technology and finance and recruitment to be able to retain and recruit medical providers into our community in order to meet those needs.

55:19

And Missoula County as a local government is more structured.

55:24

It's more slow moving because we're usually working in those property tax dollars and this idea of how do we make sure that when we're spending money, it fits exactly into the boxes that state law allows.

55:35

And Partnership really works in that medical space, which requires a greater deal of flexibility, especially as changes have come along to things like Medicare and Medicaid that look at how the reimbursement model works for federally qualified health centers to make sure that they have the best possible patient outcomes.

55:51

Which is one of the outstanding features about Partnership Health Center here in Missoula County is that they do have a top notch staff that provides high level quality care to our residents.

56:04

So as we've looked at that, we've kind of come to this difficult decision that we're putting before you today, which is we've looked at all these different tools that might be available under local government to give greater flexibility to Partnership Health Center to meet the needs and the demands of it ever changing healthcare world.

56:21

And that's included things like creation of a special district or looking at some of the tools under a health or hospital district or ways we could rework the Co applicant agreement.

56:30

But unfortunately, all of those measures really fall short because they don't give the level of flexibility that's really necessary in healthcare.

56:37

They really still have a lot of those structures of local government in place around the speed at which local government moves and the constraints that we have because of the nature of funding that usually is tied to local governments.

56:52

And so today, and we do have some folks from Partnership here who might want to speak as well.

56:56

During the public comments section, staff is recommending that the Board of County Commissioners authorized the initiation of a process called the successor and interest process.

57:04

And that will allow Partnership Health Center, excuse me, to be able to take over directly the federal award that comes through Missoula County to them to provide those core services.

57:15

Just so folks know, PHC is actually the largest federally health, federally qualified Health Center here in Montana.

57:21

They definitely have the capacity, the internal controls that they need to be able to meet the needs not only of their patients, but of those government requirements around the grant that that comes through Missoula County from the federal government to be able to provide these services.

57:35

And we believe this is the best way both for Missoula County and Partnership Health Center to be successful.

57:40

Once you've had a chance to hear from the public, I do have a recommended motion for you.

57:47

Thank you.

57:47

Is there anyone from PHC who'd like to speak to this?

57:54

Yes, hello Lara Salazar.

57:55

I'm the CEO of Partnership Health Center and I really want to first say thank you for to Chris and to the staff that we've been working with collaboratively with Missoula County and Partnership Health Center to present the the agreement that's before you.

58:15

And with me are really dedicated long term board members, Kathleen Walters and John Crawford, along with a PHC executive leadership team, all working really collaboratively to meet both the needs of the county and partnership in presenting this agreement to you, as Chris outlined very eloquently.

58:39

So I just want to say thank you and we have work still to do after your decision today.

58:45

And so we'll keep doing that in really good faith and service to our patients and community and to the staff at at PHC.

58:55

Thank you.

58:55

Thanks, Laura.

58:56

Anyone else?

58:59

We're bumping up against 3:00.

59:00

But if you're here and you like to say something, that was your chance.

59:06

OK.

59:07

Anyone online?

59:09

Nope.

59:11

Questions for Chris or Laura.

59:14

A couple comments and then and then I'll do this motion.

59:17

First one, I want to say thanks to Chris and to Lara and all of your respective teams.

59:22

We understand that these negotiations were super complicated, so many details and have been going on for months and nobody bailed out.

59:29

You guys all hung in there and got us to this point.

59:32

So thank you so much for all the detailed work and for hanging in there.

59:37

Thank you.

59:38

The second thing I was going to say is I, I was recently at a training with people who work in local governments from all over the country.

59:44

And when I talked about PHCI bragged about PHC, one of the incredible clinic we have as part of the county, One of the things I heard was, well, we used to have one of those.

59:53

I think they went away in 2006 or and that the standard trajectory for the for F QS is to begin as a Co applicant with local government, grow to a certain point and then fledge the nest.

1:00:04

And this feels like the next sort of stage of development on that trajectory.

1:00:09

And we're experiencing it here right now and it feels like the time is right.

1:00:12

You guys have put in all the hard work.

1:00:14

So thank you for all that.

1:00:15

And this just seems like the right timely thing to do at this moment.

1:00:19

So with that, I'm going to make this motion.

1:00:22

I moved to authorize the Chief Administrative Officer, Chief People and Risk Officer, and the County Attorney's Office to work with PHC to initiate & the Successor in interest agreement for the 330 HERSA grant and to sign the separation agreement as well as any documents needed as part of that or subsequent processes.

1:00:41

I also move to authorize the above staff to take any steps necessary to respond to information from HERSA that would allow for a similar separation using other HERSA approved methods.

1:00:54

Second, and congratulations on fledging, is there any additional public comment?

1:01:02

OK, all in favor, Aye, onward.

1:01:05

Off we all go.

1:01:06

3 of you guys are amazing.

1:01:08

Nice job, one nice job.