1. CALL TO ORDER
Commissioners Present: Commissioner (Chair) Jean Curtiss, Commissioner Bill Carey

Commissioners Absent: Commissioner Michele Landquist

Staff Present: James McCubbin, Deputy County Attorney, Erik Dickson, Public Works

2. PLEDGE OF ALLEGIANCE

3. PUBLIC ANNOUNCEMENTS
Our mics are not working today so please speak loudly when you make comment. MCAT will be recording the hearing and Robin will be taking minutes.

March is National Meals on Wheels Month.

4. PUBLIC COMMENT
None

5. ROUTINE ADMINISTRATIVE ACTIONS
Current Claims List ($1,687,057.38)

Executive Session
Commissioner Carey made motion that the Board of County Commissioners approve the Current Claims List in the amount of $1,687,057.38. Chair Curtiss second the motion. The motion carried a vote of 2-0.

6. HEARING (continued from February 12, 2014)
Hidden Trails Subdivision HOA (Establishing Parking Restrictions)
**Erik Dickson gave update with PPT Presentation.**

Brief summary since our last meeting; we’ve received multiple requests since 2008 to restrict parking in the Hidden Trails Subdivision. We have given the HOA Board the request to get the residents of the subdivision to agree on a proposal that would be suitable to everyone. The current board did and submitted the initial parking restrictions. At the last public hearing there was a number of residents of the subdivision that came to speak on behalf of what seemed to be a fair number that were not in favor of these proposed restrictions. The Commissioners direction was that we meet and try to come up with some sort of negotiated location of the restrictions that would be agreeable to everyone involved. The board did hold a meeting on Monday night, which I was able to attend; they did try to work something that I think was agreeable at the time. The current proposal is to not restrict parking on the North side of Connor Court in its entirety or on Utah or on Judi. They still wanted to try to restrict the parking at the corners in the cul-de-sac for the needs of emergency access turn around and at the community mailboxes and fire hydrants. The current proposal; aside from the cul-de-sac it essentially reflects existing state law; it restricts parking near an intersection or within 30 feet of a stop sign on an approach of a road. It should help, that's the desire. Rather than install of the signs, both the board and the residents, I think, agreed on the fact that we would provide curb marking rather than signs. That is acceptable to both Montana state law and Federal law that identified in the manual on uniform traffic control devices.

**Chair Curtiss:** I remember that the last two houses on Judi Drive that were approved were separate from the original subdivision. Through that subdivision approval, I just drove out there again this afternoon to refresh my memory, the part that's marked on the original on Judi Drive on the north side, says no parking now. That was part of the subdivision approval. That's because at that time the fire department said; we don't want this restricted because of the fire lanes. I remember making the motion and saying; ok, then there needs to be no parking (inaudible). Is this changing that?

**Erik Dickson:** We did have some discussion on that Monday night. I was a little unclear because the no parking signs were referenced and the fact that the curb on the north side of Judi had been painted, it was not by us, it was by a board member at the time or a resident but someone had painted the curb yellow. We weren't sure and I didn’t see it before hand, as to what the restrictions were, whether or not it was just for those first one or two houses that were not part of the subdivision or if it was to apply for the whole portion of Judy Drive.

**Chair Curtiss:** It was the last two houses. That was part of the subdivision approval so I’m not sure whether...it was restricted by the subdivision approval, so I don’t know whether we can change that one. It was done on the testimony of the fire department.

**Erik Dickson:** If it is still in effect with what the original subdivision and the signs are still in place, so anything that we propose would be just curb marking, which would be at the intersections. If that needed to be extended the full length of Judi Drive, we could certainly do that.

**Chair Curtiss:** Do you propose then they would just be painted yellow?

**Erik Dickson:** Yes.
Chair Curtiss: And in front of fire hydrants, do we leave yellow or red?

Erik Dickson: I believe it's all just yellow. The (in auditable) doesn't differentiate; they prefer yellow or white markings.

Chair Curtiss: There was some comment in the minutes about East Missoula Fire getting a new fire truck that was larger than what they had before, so do we feel this will still accommodate them? Was that discussed at the meeting this week?

Erik Dickson: It was mentioned. Jim Hamill, that had spoken at the last hearing, I believe was, I don't know if he still is on the board or had spoken with the fire board, he said the only difference with the new truck was that it was slightly longer. It might have a little more difficult time in the curves but he did say that the fire department does have what they consider a contingency plan if we can't make it down the street with longer hoses and access to alleys and front and back of the houses on Connor Court. He made it sound as if it was acceptable to them. I did invite the fire department Chief and the (in auditable) and didn't get a response from them but we do still have their letter from May 29th in the file with their comments.

Public Comment

Michael Ivanoff, President of the HOA Board: I was at the meeting Monday night. After thinking about it, after the meeting, we came up with this as a first step and I heard that mentioned at the meeting. I got to thinking about it over the evening and in reality, the reason the fire department I believe stated, in here in their letter, they said that they would have difficulty getting down the cul-de-sac because there's vehicles parked on both sides. I think they're referring to those corners but more to the back. Their contingency plan is to just run hoses. They do not have access with their big fire truck so they're going to have bring down one of their small pickups and then pump to these two story apartment buildings. Looking at PPT photos. Public safety is the most important issue. The HOA board stands by the no parking Resolution you submitted, speaking to Erik, we have to stand by that Resolution that we want no parking on the north side of each of those streets, in order to have access by the ladder truck.

Chair Curtiss: So at your special meeting on Monday, was there a vote taken?

Michael Ivanoff: No. I believe this was an offer on the table, to paint the curbs and it sounded like a good first step. In my consciousness I couldn't, after thinking about the fact that those are two (2) story homes and the bedrooms are upstairs on the majority of all those homes. On Discovery Way, the west side, those are two (2) story homes, the second floor enters into the hillside but it's basically a daylight basement so the access for the fire fighters is restricted as well there I believe. Ideally, my hope was no parking, as the fire department said. No parking on one side of each street, so they can get down there. So my biggest concern is the chance that there's a loss of life. I talked to a few of the insurance companies, Farmers and State Farm, they explained to me because there is a reduced service for the fire department, not being able to get down Connor, they just have a pickup with a fire hose. There's potential there that they may have a change of protection class because they're not getting adequate equipment down that road, the fire fighters. I heard from the fire department myself that there's contingency plan but that's it, running a long fire hose with a pickup truck. When the petition was collected, I heard from
a few of the neighbors that that was what was mentioned. Even Jim Hammill at that meeting Monday night, when I asked him what was spoken from the petition, I haven’t even read the petition, I was never presented with it...that they were just informed it’s a contingency plan. They weren’t told that the new fire truck has no access to their street. That’s where my concern is, if someone’s trapped on the second apartment or a second floor bedroom, they may not be able to escape without that ladder truck available. That’s where I stand and I feel as an HOA Board we have to stand there to protect their mortgages, their insurance rates. If a fire does take place it might spread to another house, we’re there to protect their well-being.

**Commissioner Carey:** So you’re not accepting the county’s proposal?

**Michael Ivanoff:** I prefer the original, the one that was presented on the 12th; I’d like to stand with that one. That’s how we stand as an HOA Board. IT is unanimous as a board decision; we’ve talked about this in the past. I believe in the last meeting there was some discussion about if there’s only one or two people on the board but it’s actually majority of the board.

**Chair Curtiss:** I also noticed that it looked like there’s a Ballard and some paint where people have access to the mountain?

**Michael Ivanoff:** Yes.

**Chair Curtiss:** Should that be marked though on this list?

**Michael Ivanoff:** That’s how I’ve discovered this information from the fire fighters. I talked to the Asst. Chief because he stopped there to check his keys to make sure they have access to the water tower. It’s painted yellow right now but it’s very hard to see.

**Chair Curtiss:** It seems like it should be included in the plan.

**Michael Ivanoff:** I asked the water company if they would paint, they said no, they don’t do those things. That’s another point, when this came up originally with the previous board; they’ve been pursuing this since 2009, 2008 possibly. They were trying to get some word on getting it painted, they went through and painted the street corners and in front of most all the mailboxes, except for the cul-de-sac. There’s not an obvious paint there anymore and in the winter time it’s very difficult to see.

**Lindsay Campbell:** I live on Discovery Way, right in the middle. I have to say I’m adamantly against the parking restricting in the original proposal and agree with the ones that are here presented. Mostly for a supply and demand issue, there’s very little parking, if any in our subdivision as it is. I know when the subdivision was originally approved it was approved under the guides of two (2) off street parking for every resident. That also doesn’t take into account that we have multiplexes, as was brought up. Those have 1.5 parking units per structure, with college kids 1.5 really doesn’t work out so well. There are quite a few rentals. Most of the houses that are Connor and Judi, their parking spaces are garages, they are tiny garages. I drive a Ford Escape and it fits in the middle of my two car garage, leaving me with one (1) parking spot. We also have a very popular trailhead and there is no easily accessible other parking in our neighborhood. As you are aware, we
all live right off of Hwy 200, so if we did this, Jim went out and counted on Connor, if we
restricted it to one (1) side, that would be seven (7) on-street parking for quite a few
houses and two (2) multiplexes…and seven (7) on-street parking if we went to the original.
This is a nice compromise but regardless we still need enforcement. As you said, there
are existing state laws that you can’t park in front of a mailbox, you can’t park in front of a
fire hydrant and you can’t park in curves, people do it anyway. So really no matter what
we do, we still need help from the county and the Sheriff’s Department to come through
and write tickets and tow. No matter what we do, without enforcement, it really doesn’t
matter. Bottom line, enforcement is going to be the key…the key to public safety and the
key to fixing any problems.

Chair Curtiss: I noticed today when I was out there that some of the garages, if you just
park on the apron in front of the garage, the end of your car is restricting the sidewalk.
Looked to me like the ones on Connor happen to be deeper, they’re set back a little bit
more, so there might be room for your car without restricting the sidewalk. Where Utah
turns and goes a different direction, it’s a little bit restricted there but it seems like most of
the people on the right hand side, as you’re heading out towards 200, have space that they
park closer to their own house. I admit that I was here when we approved this subdivision
and I’ll tell you that I wouldn’t do it again. I’d be more concerned about the size of the
roads because the houses are still affordable and that’s because they didn’t have to put in
as much infrastructure but I think the public safety issue is a…and the design of the
garage doors is just the oddest thing ever. The door is there, you just have to get rid of
that arch, it’s not easy to do but it could happen.

Michael Ivanoff: The loss of space is with the no parking; six (6) spots along the side and
same here (looking at PPT photos) six (6) spots that are lost here on Utah. And as you
said, there are no driveways on the south side of Utah, so that’s all available parking.
Plus, they have their two (2) car garages and they have ample two (2) car spots on their
driveways, in most cases. People buy into the neighborhood with the knowledge that
that’s the house their given, this is the neighborhood they’re given. For fire safety, I’d say,
they need to park in their lots, in their garages and allow a fire truck to access. There’s still
parking on that street.

Chair Curtiss: So Michael, if we didn’t count the cul-de-sac, which you’re not supposed to
obstruct anyway in the corners and such, you’d be losing four (4) spots on Connor, six (6)
on Utah...

Michael Ivanoff: On this part of the neighborhood. Since these are multi-family units and
I’m thinking about the ladder truck here, if this was no parking as you had in your original, I
would say that that’s probably a reasonable thing to continue.

Chair Curtiss: There is a parking lot there.

Michael Ivanoff: Yes, they have two parking lots.

Chair Curtiss: Those two (2) parking lots are equivalent of 1.5 per unit?

Michael Ivanoff: Yes. They have eighteen (18) spots total for the twelve (12) units. The
original builders still own these.
Chair Curtiss: I noticed it says Discovery is 32 feet; the others are a little narrower.

Executive Session
Commissioner Carey: On a close call like this, I want to error on the side of public safety.

Chair Curtiss: Erik, I’m looking to see if we could compromise a little bit. Mr. Ivanoff just talked about the continuation of Utah there, or does it change names?

Same name

Chair Curtiss: I noticed there were quite a few cars parked there today when I went by. Do you think that section of Utah, that’s going to lose another four (4) or five (5)? Is that pretty narrow? I think we should add since it’s a plan showing where the yellow paint happens that we should add that little piece in front of the access to the water tower and the mountain. There’s some yellow paint there and a Ballard maybe self-applied so people can’t drive up there.

Motion
Chair Curtiss made motion that the Board of County Commissioners amend Exhibit 1, the map, to include a designation of no parking in front of the access to the water tower on the corner of Discovery. Commissioner Carey second the motion. The motion carried a vote of 2-0.

Chair Curtiss: James, do we just adopt the Resolution then with the corrected Exhibit?

James McCubbin: Yes, I think that’s correct if that’s the way you want to go. One suggestion I have for the language for the draft Resolution you’ve got is in the second to last paragraph. Being if further resolved, the County Public Works Director place appropriate signs indicating restrictions….

Erik Dickson: You should have…

Chair Curtiss: There’s a new one. It says curb markings instead.

James McCubbin: Oh okay.

Chair Curtiss: But we wouldn’t take down this…I guess we could take down the sign on Judi that’s already there and was part of that subdivision.

Erik Dickson: I probably would replace it.

Chair Curtiss: Okay so the Resolution now says…resolved part says; Parking within Hidden Trail Subdivision in the north ½ of S24, T11, R19W is hereby prohibited as shown on Exhibit 1. So we’d say on amended Exhibit 1?

James McCubbin: It’d still be Exhibit 1 to this Resolution.

Chair Curtiss: Be it further resolved that the County Public Works Director provide curb markings indicating restrictions. And then be it further resolved that the Missoula County
Sheriff’s Department is hereby requested to take such action as required to assure compliance of the parking regulations and the effected easements. So what this does is…Ms. Campbell is right that enforcements the only thing that makes any of it work. But right now, if the neighbors called and said somebody is parked in the wrong place and I can’t get in my driveway or whatever, the Sheriff’s Office doesn’t have as much authority to drag you away, or drag the car way, whatever. But a regulated parking area does do that.

Motion
Commissioner Carey made motion that the Board of County Commissioners adopt the Resolution dated March 12, 2014. Chair Curtiss second the motion. The motion carried a vote of 2-0.

7. OTHER BUSINESS
None

8. RECESS
Being no further business to come before the Board the Commissioners are in recess at 2:04.