

Ravalli County Attorney

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October 1, 2021

Mr. Kyle Nelson, Esq.
Goetz, Baldwin & Geddes, P.C.
P.O. Box 6580
Bozeman, MT 59771

Re: *Hughes Creek Road*

Dear Mr. Nelson:

I am writing in response to your letter dated September 21, 2021, addressed to the Ravalli County Commissioners concerning encroachments and obstructions on the Hughes Creek Road.

As I explained in my telephone conference with you on September 17, 2021, the County has removed a gate from Hughes Creek Road twice in 2021. Following the County's latest removal of a gate in June 2021, a new gate was erected at a new location further up the road. Additionally, it appears that a new road was constructed directly behind the gate that appears to start in the public easement, but at some point may leave the public easement and cross private property. The construction of the new road has raised several new issues being examined and researched by the County.

I will reiterate what I told you in our telephone conversation: The County is doing its due diligence in light of the new situation we are encountering at this new location. The County will not be providing you, or anyone else, the details of the process or a timeline for completion. On each prior occasion of removal, the release of any information immediately led to a social media circus, with much misinformation attributed to the County, which significantly increased tensions and personal risks to all of the individuals involved.

Your repeated phone calls demanding different answers to the same questions, and you "setting" an arbitrary deadline for the County's completion of its due diligence in this new situation, are unproductive. The County is taking all reasonable steps in investigating and addressing this situation in accordance with the law, to insure that the rights of the public as well as the rights of the landowners are respected, all while minimizing any dangers to public safety.

Sincerely,



Royce A. McCarty, Jr.
Deputy Ravalli County Attorney

cc: Dan Huls, Commissioner (Email: dhuls@rc.mt.gov)
Greg Chilcott, Commissioner (Email: gchilcott@rc.mt.gov)
Jeff Burrows, Commissioner (Email: jburrows@rc.mt.gov)
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