

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, MARCH 25, 2021 – 2 PM

Virtual Meeting – Microsoft Teams

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ATTENDANCE:

Commissioners Present:

Chair Strohmaier
Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Diana Maneta, Sustainability Program Manager, Community and Planning Services
John Hart, Civil Deputy Attorney, Attorney's Office
Tim Worley, Senior Planner, Community and Planning Services
Jennie Dixon, Planner, Community and Planning Services
Matt Heimel, Planner, Community and Planning Services

1. **CALL TO ORDER** *[Time stamp – 00:05]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:26]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:40]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 01:13]*
 - a. [Proclamation: March for Meals Month 2021](#)
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 04:00]*
6. [CURRENT CLAIMS LIST](#) *[Time stamp – 06:20]*
Claims received as of March 4, 2021 through March 16, 2021 by the Commissioners' Office total \$2,348,488.64.
7. **HEARINGS**
 - a. **Cryptocurrency Mining Permanent Zoning** *[Time stamp – 06:39]*
Jennie Dixon, Planner, Community and Planning Services

Diana Maneta, Sustainability Program Manager, Community and Planning Services

Commissioner Vero made the motion to amend the Missoula County Zoning Regulations to add two definitions and adopt a zoning overlay regulating cryptocurrency mining countywide in the unincorporated areas of the county, as shown in the March 25 materials attachment B, effective immediately.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Resolution 2021-033. B: 1052 P: 894]

b. Petroff Minor Subdivision [Time stamp – 15:02]

Matt Heimel, Planner, Community and Planning Services

Commissioner Vero made the motion to approve the Petroff Subdivision, based on the findings of fact and conclusions of law in the staff report, and subject to the recommended conditions of approval in the staff report.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Letter 2021-095 Mailed to: John and Sarah Petroff]

c. Running W Ranch Phasing Plan Modification and Extension [Time stamp – 26:20]

Tim Worley, Senior Planner, Community and Planning Services

Commissioner Vero made the motion to approve the Running W phasing plan modification and extension, subject to the conditions included in Attachment C.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Letter 2021-099 Mailed to: Jamie Erbacher]

8. OTHER BUSINESS [Time stamp – 41:49]

[None]

9. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 2:42 p.m.

BCC Public Meeting March 25, 2021 – Transcription

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[00:00:02] Oh, if we are live, Violet, we will roll right into this, and I would like to call to order today's Thursday, March twenty fifth meeting of the Missoula Board of County Commissioners. I'm Dave Stroma, chair of the commission. This year we also have commissioner. We need Aveiro in attendance. And like I mentioned, Commissioner Josh, Josh Slotnick will not be able to join us today. So as with all of our meetings, we begin with a land acknowledgement. Missoula County acknowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people. Violet If you would like to display the colors, we will do the Pledge of Allegiance. And there it is. So please join me if you can. I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation

[00:00:58] Under God, indivisible with liberty and justice

[00:01:02] For justice for all. Thank you, Violet. So we do have a proclamation today under public announcements. Commissioner Vero, would you be interested in reading this proclamation?

[00:01:22] I would, but I'm my clunky mouse is being. Slow. Ok, hold

[00:01:30] On.

[00:01:30] I can get it.

[00:01:38] And if it's not working, I could do so also.

[00:01:41] You have no here we go. Here we go. Let's get getting there. Come on. Ok, I'm happy to do this one. Proclamation Missoula County and the city of Missoula, Montana, whereas the Meals on Wheels program at Missoula Aging Services, I'm just now realizing that it's in front of me. Thanks, Violet. Meals on Wheels program at the Missoula Aging Services is a valuable resource to older adults in Missoula County. And whereas more than eight hundred homebound elders and adults with disabilities received Meals on Wheels this past year with one hundred and thirty one thousand eight hundred and eighty one meals served in Missoula County. And whereas volunteer drivers for Meals on Wheels are the backbone of this program, through their dedication to bring not only hot, nutritious meals to clients, but also caring concern and attention to their welfare. And whereas Missoula Aging Services counts on these volunteers and the support of the community to serve the growing numbers of elders who need the service in order to remain in their homes. And whereas we wish to wear raise awareness and support for Meals on Wheels in Missoula and the surrounding areas. Now, therefore, we, the Missoula Board of County Commissioners and Mayor of the City of Missoula, do hereby proclaim the month of March Twenty Twenty One as March for Meals Month in Missoula, Montana, and invite citizens to thank the caring volunteers. Drivers recognize the value of the service to homebound elders and adults with disabilities and encourage citizens to volunteer as Meals on Wheels drivers so elders can remain in their homes.

[00:03:26] All right. Thanks so much, and again, our hats off to Meals on Wheels in Missoula, aging services for the great service they provide and have been, and will continue to provide our community

[00:03:39] And an entire year of Meals on Wheels. Meals is actually equal to one day in a hospital or 10 days in a nursing home, so this service is so important and vital to the fabric of our community. So thank you so much.

[00:03:56] Thank you, Commissioner Vero. So next, we have on our agenda an opportunity for folks to offer comment on any items that are not otherwise listed on our agenda and either here later on under our public hearings. If folks want to comment and you're joining us via computer. Please use the raise hand function and I'll call you on you in the order in which you appear on my screen. If you're on the phone and you're muted, please hit star. Six, Unmute yourself and chime right in and we'll try to get you in the queue. Try to limit your comments to three minutes or less and try to be as succinct as possible. So any public comments on items not on today's agenda?

[00:04:41] I see a hand up.

[00:04:42] Oh, never mind.

[00:04:45] Up, Rob Edwards.

[00:04:48] Yes, thank you for giving me a few minutes here. Rob Edwards with abysmal aging services. I just popped in right in the middle of the reading of the proclamation and I wanted to thank the commissioners and the Missoula County for their unwavering support of aging services and our Meals on Wheels program. This the pandemic has been a huge challenge to us, but the help and support of our city and county officials, as well as the amazing crew that we have in Missoula at our office. Our volunteers and even bigger is the Missoula County public, who have risen up and donated to the programs and provided countless days and hours of assistance. We just appreciate the wonderful community we're in and thank you very much for declaring March to March for Meals Month, and we look forward to many more years of participation and and thank you again for your support.

[00:05:41] Thank you so much, Rob.

[00:05:43] And I look forward in joining you in person for one of our annual events in the future.

[00:05:49] We are so looking forward to having people underwrite drive alongs. We, our volunteers love that day to show their program because those volunteers really do call it their program. So we look so much forward to that. And thank you once again for your support.

[00:06:03] Thank you. Please tell Susan hello for us.

[00:06:08] I will do that. Thank you.

[00:06:10] You bet. Any other public comment today on items not on today's agenda? Ok. See, none. The current claims list of the commissioner's office as of March 4th, twenty twenty one through March 16th twenty twenty one. Totals two million three hundred and forty eight thousand four hundred and eighty eight dollars and sixty four cents. We have three public hearings today. The first one, which I'll open, is permanent zoning related to cryptocurrency mining, and we will begin with a staff report from either Jenny Dixon and or Diana Minetta.

[00:06:53] Hi, good afternoon, commissioners. This is Jenny Dixon with community and planning services, and I see Diana's also on the call. In case you have any questions for her, this is going to be very short as it is simply a signing, adoption and signing of a final resolution for the cryptocurrency mining zone, which, as you may recall, went to the planning board in January received a seven to two vote to amend as recommended by staff. Commissioners conducted a public hearing on Feb. 11 and did adopt a resolution of intention to create the two new definitions relative to cryptocurrency mining and create the cryptocurrency mine overlay zone and apply it county wide on unincorporated portions of Missoula County. That resolution of intention was signed and and then published on February 14, and law requires that for 30 days after that publication, that first publication that protest petitions may be submitted relative to the intention to adopt the zone and we have not received any that 30 day period has expired. The interim zone that is in place right now does expire on April 3rd, so just about a week from now.

[00:08:18] So it's perfect timing. The motion, which I will put up on the screen for you does include an effective immediately, which then would replace the interim zone that's in place right now. And lastly, before I put that motion up on the screen for you, I did just want to mention that, of course, staff has recommended adoption of the zoning, and I think that that you should be proud of Missoula County for the initiative and the approach taken

because we have been receiving a number of calls and requests for presenting this information in other parts of the country where cryptocurrency mining is presenting some problems at most specifically right now in New York, we've been working with a lot of people in upstate New York that are dealing with that. And as I've mentioned previously, I think the zone that Missoula County has is about to adopt is one of the first that really addresses the climate change impacts of cryptocurrency mining. And so we're very excited about this, and I appreciate all of your work. So let me just put the motion up on the screen for you.

[00:09:45] Thanks, Jenny, and did Diana have anything she wanted to add?

[00:09:52] Thank you, commissioners. No, I'm just here in case there are questions. Happy to take any of them.

[00:09:59] Ok.

[00:09:59] And Diana, I'm really happy that the New York folks are moving forward because I remember when they reached out and it just a beautiful full circle bookend. I don't know what metaphor to use, but thank you for making this happen.

[00:10:15] Yeah, you're welcome. We, as you know, we've all put a lot of time into investigating this issue, so it's great if we can share some of

[00:10:25] So is oh, it says it cannot display content. I believe I

[00:10:32] Owe Jenny is the motion simply to adopt a resolution to amend the Missoula County Zoning Regulations to add two definitions and adopt a zoning overlay regulating cryptocurrency mining countywide in the unincorporated areas of the county,

[00:10:46] As shown on the March 25th Materials attachment B effective.

[00:10:51] Ok. Ok, so hold that thought, everyone. This is a public hearing. So before we take questions or someone makes the formal motion, is there any public comment on the item before us today? Any public comment?

[00:11:14] Jason?

[00:11:15] Yeah, we have a Jason who's raised his hand, Jason. Yeah, I was just

[00:11:21] Curious as to how the in there so special

[00:11:25] Hardware for crypto mining.

[00:11:27] And as far as I'm aware, that's stuff like graphics cards and whatnot, which

[00:11:30] Is not specific to cryptocurrency. So I'm just wondering how you're distinguishing

[00:11:34] Between cryptocurrency mining and like. A data center, or just like some place that uses computers a lot.

[00:11:43] Diana or Jenny?

[00:11:50] And this is Jenny, and and let me see here, you guys can hear me all right. Yeah, OK. Diana may have something to add, but we clarified in the attachment that's shown in the March. Twenty fifth materials to further clarify cryptocurrency mining is an operation that uses a process called proof of work. And so that is what differentiates it from data centers and other similar activities that don't involve proof of work actions activities for cryptocurrency mining.

[00:12:28] Diane, is there anything you want to add?

[00:12:31] Um, no, I think that that addresses it, thanks, Jenny.

[00:12:36] Okay. And proof of work is just incredibly energy intensive, having to complete the puzzle that way, is that fair enough? Yeah. I mean, that's. Yes, because there are other ways to do cryptocurrency mining that that that aren't that don't require proof of work. Correct.

[00:13:01] There are other ways to maintain blockchains that don't involve proof of work and don't involve that mining process. Typically, the phrase cryptocurrency mining refers to the proof of work process. It may sometimes be used to refer to other consensus mechanisms that aren't so energy intensive, but that's why we used. We clarified, as Jenny said, that term proof of work, which is really the technical way to refer to that energy intensive mining process.

[00:13:30] Thank you, Diana. Any other public comment on this item? Ok, see now close the public hearing. Anita, would you like to make a motion?

[00:13:44] Yes. To eye motion to amend the Missoula County Zoning Regulations, to add two definitions and adopt a zoning overlay regulating cryptocurrency mining counterweight a county wide in the unincorporated areas of the county, as shown March 20, 5th materials be effective immediately.

[00:14:04] I will second that, and I would just like to say thank you to the staff for your heavy lifting on this over a multi-year period. I think this is extremely proactive. It's borne out in the fact that other places around the country are inquiring about how we've approached this and in the context of our current desires to reach 100 percent clean electricity by 2030 and address and mitigate climate change. I think this is spot on any other discussion on the motion. See, none all in favor, I OK, it is adopted. Thank you. Thank you. Thank you, commissioners. Yeah, thank you. Ok, our second public hearing, which I will open, is the Petroff Minor Subdivision, and we'll begin with a staff report from Matt Heimel. And for folks who are unfamiliar with our public hearing process, will begin with a staff report followed by a presentation or comments from the applicant or applicants. Representative will open it up for public comment and have questions from the commission, followed by a motion and discussion by the commission and then a vote. So Matt Heimel,

[00:15:37] Good afternoon, commissioners Matt Hymel here with Capps, I'll be presenting the Petroff Minor Subdivision.

[00:15:43] Go ahead and share

[00:15:44] My screen here with a map and a few slides for the subdivision. Hopefully, you can all see this.

[00:15:57] Yes, thank you.

[00:15:59] Yes. Ok, so the Petroff Minor Subdivision is a proposal by John and Sarah Petroff, represented by a Missoula Engineering LLC. The It's for a two lot minor subdivision west of Tower Street, east of Clements Road, north of Spurgeon, south of South Third Street west and the west end of the Order Holmes area, essentially. This is a further aerial image. There is a more zoomed in aerial image showing just some conditions of the property as of about 2020. So it's located at ten point forty one Como Drive, it's south of an adjacent to South Seventh Street, west east of an adjacent to the intersection of Como Drive and an built section of right away for Thirty Seventh Street. So it's a two lot minor subdivision proposal and it is. The property is zoned Carrara one residential that has a maximum residential of one dwelling unit per acre, and it's within an area described in the twenty nineteen Missoula area land use element as rural, residential and small agriculture, and that land use designation recommends a density of one to two dwelling units per acre. So this is both zoning and growth policy compliant. Go back to the aerial image here and point out that. So there are no there's no flood plan for the property. No hazard areas were identified. I will note that there is shallow groundwater, however, so part of the subdivision proposal includes a section in the covenants that prohibit the construction of basements for new structures. So that's in the covenants as as proposed, and there are no slopes. Of course, this site is primarily flat with with main vegetation of grasses. So here is an existing site layout prepared by the applicant. There is one existing single family dwelling

[00:18:12] That is the existing

[00:18:13] House on the south side of the property that has a couple of accessory structures and an existing individual well and septic system. The access to this house, which will remain unchanged, is via a individual approach from the intersection of Como Drive and the unbuilt right of way for 30 7th Street. So no new roadways would be proposed for the subdivision. And here is a excerpt of the plat. And so the proposal will be for a new lot lot sixty five eight two on the north, half or north portion, that would be one point one two acres.

[00:18:54] And then the existing

[00:18:55] House would remain on sixty five, a one on the south side of the parcel, and that would be one point sixty two acres in area.

[00:19:04] So the new

[00:19:05] Lot or the new area for a new single family house would be sixty five eight two. And that would have direct access off of South Seventh Street West across the Missoula Irrigation Ditch, which runs through the South Salmon Street west right of way on the north boundary of that proposed lot. Sixty five to. And so there are a couple of conditions of approval pertaining to that irrigation ditch, one well for both the irrigation district and the Rural Fire District to approve of any new crossing for that ditch. And this is also a image of the deck site layout gives a little more detail as to propose structure locations and for locations, so the new sixty five to so now north is facing right so

[00:19:59] South 7th

[00:20:00] Street west running up along the right hand side of your screen. So as shown here, so there will be a new home directly accessing South Seventh Street West A. New individual, well, new individual septic. The new home would be proposed to be. Installed with residential fire sprinklers. So the fire suppression will be through sprinklers for any new construction, that does not mean that the existing house needs to be retrofitted. It's just four new structures. So I'm back to the plat here and through our review of the primary subdivision impact criteria, we identify recommended conditions of approval for subdivision, so staff is recommending approval of the subject of this subdivision, subject to nine conditions of approval. And I'll touch on each of those. The first three recommended conditions have to do with impacts to agriculture, mainly agricultural water use of facilities.

[00:21:03] So the

[00:21:05] Property is located on a prime farmland if irrigated, although it does not have any existing

[00:21:10] Or

[00:21:11] Historical agricultural use that we identify at this time. And being adjacent to the Zula Irrigation District Canal, it has a condition of approval for a new easement to be provided so that the South lot sixty five, a one to the south can have access to the irrigation ditch water.

[00:21:34] That condition of

[00:21:35] Approval does also allow the applicant to show that the property has either been removed for the district or has no shares allocated to the. Property, another condition of approval is just to have that irrigation ditch easement shown on the plat would run. Also on the north side of the property. And also, a section to covenant needs to be added that requires any new ditch cross and to be reviewed by the Missoula Irrigation District and build to their specifications for the condition of approval has to do with provisions for utilities, and that's just requiring any new easement agreements for the, well, isolation zones. New well isolation zone is shown on the Platte here,

[00:22:23] Where the cursor

[00:22:24] Is moving for lost. Sixty five eight two. Conditions five and six are pertaining to required platinum. First of which? Is a condition requiring waivers the right to protest a new rural special improvement district for municipal water system or for fire protection purposes, and also to just show the Thirty Seven Street right away in the West

Side. The seventh and eighth condition of approval are pertaining to fire fire suppression. So seven simply to have a requirement for fire sprinklers on the face of the plant and then the second fire condition condition number eight would be for. An amendment to the language about driveway access in the covenants. So in addition to rural fire reviewing driveways of a certain length for adequate access, the new driveway that crosses the irrigation district ditch must also be reviewed by the. By the Rural Fire District and built to their specifications

[00:23:37] And the

[00:23:38] Ninth condition of approval with the covenants is simply a part for the amendment section. So the sections of the covenants that will reference the prohibition on Basement's the requirement for fire sprinklers. So just, for example, among others, cannot be deleted or amended without governing body approval.

[00:23:59] And that section

[00:24:00] Includes

[00:24:00] A reference

[00:24:02] Now to an area of repair and resource management. But there is no area of repairing resource, so we're just asking that to be omitted from the final set of covenants. So that concludes my presentation. If there are any questions about findings for any of the impact criteria, I'm happy to go over those I know the applicants representative is on the call as well, and again, I'm happy to take any questions.

[00:24:29] Thanks, Matt. Let's move to the applicant or applicants, representative if you'd like to make any comments.

[00:24:40] Hi, Jenna Sage with Missoula Engineering. I just would like again to thank Matt for his work on this project with us and happy to answer any questions you may have.

[00:24:53] Ok, well, hold that thought, and first, let's see if there's any public comment on this proposed division. Is there anyone out there who would like to comment on this? Ok, so, you know, close the public hearing, Commissioner Vero, any questions?

[00:25:18] No, this is pretty straightforward, so thank you for bringing forward a straightforward proposal. I couldn't tell it was going to say something, Matt.

[00:25:35] Nothing further for me at this time.

[00:25:36] Thank you. Ok, great. Well, then I'm going to motion to approve the Petroff Subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval in the staff report.

[00:25:51] I will second that and I would echo my colleague's comments. Thanks for bringing forward a fairly straightforward proposal, which is always welcome. Any further discussion on the motion? See, none all in favor.

[00:26:08] I.

[00:26:11] Ok, thanks, Jenna, for joining us. Thanks, Matt.

[00:26:15] Thank you, commissioners.

[00:26:20] And our third and final public hearing today, which I'll open, is on the running W Ranch Phasing Plan Modification and extension proposal, and we'll begin with a staff report from Tim Worley.

[00:26:34] Good afternoon, commissioners. This is running W Ranch Subdivision. It is a request for a phasing plan, modification and extension of the phases, and the requester is group. The location is at the why it's north of the

interstate and east of Highway ninety three. Two of the 11 phases have been filed so far, and this is the the development in phases one and two, the next phase

[00:27:12] To come in will be phase

[00:27:14] 2a, which is the closing of this loop right here. And the remainder of the subdivision

[00:27:20] Is in this area

[00:27:22] Right here and includes construction of a collector road here that will allow for a connection onto Highway ninety three via a traffic signal. This is the 11th phase phasing plan for running W Ranch. Which dates all the way back to 2005, that was the original county commissioner approval. And since that time, we've seen

[00:27:49] A number of

[00:27:50] Extensions and condition amendments. W Ranch consists of three hundred and eight lots. It is primarily residential, but it does have a commercial component as well. The request, again, is to modify the phasing plan, and the request is actually to add to multifamily lots to phase three, which is one of the big infrastructure phases. So what I'm going to do at this point, commissioner, is this toggle between the existing phasing plan and what is requested. You can see in pink there, there are a couple new multifamily lots that are proposed to come online much earlier than originally proposed, and that's I guess they're called lots m2 and M3. So the extension aspect of this request would affect it appears to be eight of the phases phase 2a as the next phase to be filed and that is planned to be submitted this spring. But if you look at phases three through 10, there's a request to extend those phases out to May thirty first twenty twenty four. And that affects the different phases differently, depending on what their current submittal timeline is. So just to summarize, some of the more pertinent findings, no additional Parkland dedication will be required with the addition of the two multifamily lots in phase three.

[00:29:31] As plenty of parkland dedication has taken place thus far and will take place through phase three, no infrastructure modifications will be required to bring these two multifamily lots online earlier than originally proposed. And we found that this proposal is consistent with growth policy objectives. So we found that basic criteria have been met to modify the phasing plan and to extend eight of the phases. There is a modified condition of approval list. It's a master list, it's basically an update of that original set of conditions dating back to two thousand five. It's been actually updated multiple times and we have again updated it for twenty twenty one and this request. And there's been no real substantive alterations of that list as of this date. Because of this action, I did want to touch briefly on the drainage issue at the Y because that has been an item of concern, particularly the water quality district has raised it.

[00:30:45] I've personally observed it

[00:30:48] On multiple occasions. And the concern really with running W in particular, is that with more development, you're going to have more

[00:30:56] Impervious

[00:30:57] Surfaces. So the question that came up, I think it was a couple of years ago is is the existing drainage plan

[00:31:07] For running a ranch

[00:31:09] Sufficient? Is it enough or do we need some additional condition? The Board of County Commissioners at that time actually considered a new condition, and I'll get to that in just a second. But just in general, drainage with running W ranch up, there's a wetland area right in here that drains to the West. And there's a detention basin within what the armory complex you may be familiar with, the armory that it moves here several years ago. There's the detention area and here and a pipe that goes under Highway 90 three that releases water actually under the Jellystone property and sometimes the water pools south of this access road into Jellystone. There are other drainage

issues. The why? It's kind of a complex issue, and some of the drainage problems are actually outside of running W Ranch and have nothing to do with running W Ranch. One is there's this

[00:32:13] Small stream that comes

[00:32:15] Down and actually ends up going beneath Highway ninety three by way of a culvert that runs this direction and pools on the southern edge of this property. That's also been problematic in the past. That drainage area actually has nothing to do with running W Ranch, and I

[00:32:32] Wanted to make that

[00:32:33] Distinction clear. So 20, 19, a new condition was added as condition 47 plans for detention and release of storm water runoff shall be reviewed and approved by the appropriate public works or engineering

[00:32:51] Department prior to final

[00:32:53] Approval of each phase. And that wording comes from the fact that running W. It wasn't clear whether the latter phases might actually be annexed into the city of Missoula or not. But nevertheless, there was. Definitely an acknowledgement that drainage needed to be checked up on with the submission of each new phase of the subdivision. And I should point out that even though the Armory complex is in a new ownership and it's not the ownership of the developer of Running W Ranch, there is a perpetual drainage easement within the Armory complex and this is actually a fairly significant detention area where if there's excess water, once it hits a certain level, there's a release that goes under Highway ninety three and again, it tends to pond somewhat on the Jellystone property over here. But nevertheless, there is a perpetual drainage easement that's intended to allow for maintenance of this facility, even though it's in the hands of the armory that the overlying property that is. So in summary, our recommendation is for approval. And here's your motion I moved to approve the running W Phasing Plan modification and extension subject to the conditions included in Attachment C..

[00:34:19] Hey Tim, is there a an agreement with the Jellystone property then to accept that pooling or is that's not necessary? Or how does that work or is that even an issue?

[00:34:35] Well, I don't know that there is. I don't think there is a 20 foot easement that runs through. The Jellystone property, and I don't have access to it at the moment, but there's a general drainage easement that's supposed to facilitate drainage all the way to O'Kieffe Creek, and it goes through multiple multiple properties, including Jellystone. But as far as handling the immediate runoff from the detention area and running W Ranch, I don't know that there is an agreement.

[00:35:13] So, Tim, just to push that a little bit farther and perhaps our applicants representative can address, it also is anything that is before us today being contemplated going to compound the water discharge that will go into the detention pond and then perhaps across the road into Jellystone.

[00:35:36] No, I would say no to that there's nothing new contemplated that will make the situation more problematic considering the original development. I think since 2005, especially in the last five or six years, there's an increasing recognition of shallow groundwater in this area. That and that wasn't known in 2005, and that's the reason for the newer update to the conditions

[00:36:09] That condition 447,

[00:36:11] Which basically requires a renewed check in every time a phase comes in on drainage issues.

[00:36:20] Ok, but the multifamily proposal is not going to make matters any worse than they are already.

[00:36:28] No, I don't believe that's the case.

[00:36:32] Well, let's just transition right into hearing from our applicant or applicants representative if they would like to speak.

[00:36:44] Thanks, Dave. And Juanita and Tim, I don't have much else to add as far as the phasing plan extension or the modification. Ryan may want to speak a little bit to the drainage concerns. Maybe I'll just turn over to Ryan if he has anything else to say.

[00:37:03] Thanks, Jamie. Ryan.

[00:37:06] Hi there, commissioners. Just a little bit on the storm drainage. Our our understanding is that some of the Jellystone problems, no. One, they're downstream of running W Ranch. So we have to handle and control the stormwater on the running W project boundaries, the things downstream. We believe there's some undersized culverts in Jellystone, and so that's something that went could have maybe been designed better in their engineering. But if in regards to running W Ranch, no more raindrops fall on that property after it's developed, there's just more impervious areas. So what we're tasked with as engineers is to store that additional runoff because of streets and roof lines and driveways and whatnot. And and the pond that's built in the armory that Tim showed a picture of is size for all three hundred and some lots that are in running W. So it's very oversized for what's on the ground today, but we will revisit the storm drainage. There are some new GMS for requirements in county regulations that we will have to comply with with the condition. Forty seven, that has us resubmitting storm drainage at each phase and the multifamily has always been there. It's just the construction of running W Road and Cartage Road, and phase three is so significant that the developers decided to add those multifamily lots or plat those multifamily lot sooner in the development than later to help spread the costs of that roadway out. And again, it wasn't a change to the original approval and the storm drainage. For this project, there's a master storm drainage plan that was reviewed and commented on through the original subdivision process, so we'll refine that master storm drainage plan as the project moves forward.

[00:39:07] Thanks.

[00:39:09] Is there any public comment on this proposal before us today?

[00:39:18] Well, I have one minor question, so then how many? How how much is going to be built in the next, what, seven eight phases in the next three years? Do we know that number is that still?

[00:39:33] I believe so. We've got 14 lots that are in phase two a we'll probably submit that plot maybe even in the month of March here for review and file. That plat is Tim or Jamie said in 2021. And then we've got a scope of work to design phase three, which is another 30 some lots. So I think it's safe to say by twenty two phases, 2A and three will be built and final plotted and depending on home sales there, which it's a it's a pretty frothy market out there, we would move into phase four as far as the rest of the phases. It's a little hard to know what the market will demand will be.

[00:40:19] Ok. Thanks for your crystal ball.

[00:40:25] Any additional public comment out there on the proposed phasing plan modification and extension. I'm going to oh, go. Go right ahead.

[00:40:39] Going to to request our move to request that the board approve the running W Ranch phase plan modification and extension,

[00:40:47] I will second that any further discussion. See, none all in favor,

[00:40:53] Oh, Juanita and Dave, is that subject to the modified conditions or the master conditions? Oh sorry, I'm reading off the RCA. Can you put up the proper language and I will make sure. But, Tim, do you have that? Thanks, Tim.

[00:41:14] There we go.

[00:41:16] I may have to approve the running W Phasing Plan modification extension subject to the conditions included in Attachment C.. Thanks, Jamie.

[00:41:25] Way to keep us on our toes? I will second that any further discussion on this motion see none all in favor. Please say I

[00:41:33] I.

[00:41:35] Ok, that was unanimous. Thanks, Jamie. Thanks, Ryan. Thanks, Tim.

[00:41:44] And thank you all.

[00:41:46] Thank you.

[00:41:48] You bet. Is there any other business to come before the commission today? Ok. At two forty two past the hour, CNN, we will be adjourned.

[00:42:00] Thanks, everyone. Thank you.

[00:42:02] Thanks, Violet.