

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, AUGUST 12, 2021 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

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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 Strohmaier
Commissioner Slotnick
Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Jamar Galbreath, Equity Coordinator, Commissioners' Officer
Anna Conley, Chief Deputy Civil Attorney, Attorney's Office
Tim Worley, Senior Planner, Community and Planning Services
Bailey Minnich, Planner, Community and Planning Services
Nick Zanetos, Planner, Community and Planning Services
Sarah Bell, Communications Coordinator, Communications
Chris Lounsbury, Missoula County Chief Administrative Officer
Kyla Lehnerz, Administrative Assistant, Commissioners' Office
Emmie Bristow, Community Development Coordinator, Communications
Allison Franz, Communications Manager, Communications

1. **CALL TO ORDER** *[Time stamp – 00:00]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:09]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:24]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 00:50]*
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 01:33]*
[None]

6. **CURRENT CLAIMS LIST** [Time stamp – 02:24]

Claims received as of July 22, 2021 to August 3, 2021 by the Commissioners' Office total \$3,750,682.33.

7. **HEARINGS**

a. **Justice, Equity, Diversity, Inclusion (JEDI) Resolution** [Time stamp – 03:02]

Jamar Galbreath, Equity Coordinator, Commissioners' Office

[Continued to September 2, 2021 Public Meeting]

b. **Federal Building – Alternative Project Delivery Contract** [Time stamp – 10:56]

Chris Lounsbury, Chief Administrative Officer

Commissioner Vero made the motion to approve a resolution for the alternative project delivery contract for the federal building renovation project.

Commissioner Slotnick seconded.

[Motion passed 3-0.]

[Resolution 2021-091. Book: 1061 Page: 1209]

c. **Ramos Family Transfer** [Time stamp – 15:03]

Nick Zanetos, Planner, Community and Planning Services

Commissioner Slotnick made the motion that the request by Mike Ramos to utilize the aggregation and family transfer exemption to create and transfer two parcels to his sons Tyler and Ryan Ramos, as presented in the exemption application and affidavit, be approved.

Commissioner Vero seconded.

[Motion passed 3-0.]

[Letter 2021-183, 2021-214 and 2021-215. Mailed to: Mike Ramos]

d. **Long Addition Rezoning – Resolution of Intent** [Time stamp – 22:33]

Bailey Minnich, Planner, Community and Planning Services

Commissioner Vero made the motion that the board adopt the Resolution of Intent to rezone the property 9950 Long Acres Lane, zoned C-C2 General Commercial to C-I1 Light Industry Zoning District be approved, based on the findings of fact and conclusions of law stated in the staff report.

Commissioner Slotnick seconded.

[Motion passed 3-0.]

[Resolution 2021-090. Book: 1061 Page: 1210]

e. **West Pointe Phasing Plan Extension/Modification/Plat Adjustment** [Time stamp – 28:38]

Bailey Minnich, Planner, Community and Planning Services

[Continued to September 9, 2021 Public Meeting]

- f. **Circle H Ranch Subdivision – Phasing Plan Extension** *[Time stamp – 35:31]*
Bailey Minnich, Planner, Community and Planning Services

Commissioner Slotnick made the motion to approve the phasing plan extension, extending the Phase 3 final plat submittal deadline to November 23, 2024.

Commissioner Vero seconded.

[Motion passed 3-0.]

[Letter 2021-191. Mailed to: WGM Group, Inc.]

8. **OTHER BUSINESS** *[Time stamp – 46:56]*
[None]

9. **ADJOURN**
Chair Strohmaier – Called the meeting to adjourn at 2:47 p.m.

BCC Public Meeting August 12, 2021 – Transcription

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[00:00:02] August 12th meeting of the Missoula Board of County Commissioners, I'm Dave Stroma, I'm joined by Commissioners Josh Slotnick and we need a Varo. We begin as we do with all of our public meetings with a land acknowledgement. We would like to acknowledge that Missoula County and this event takes place and exists in the Aboriginal territories of the Salish and Kalispell people. You please stand and join me in the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God, indivisible with liberty and justice for all. He. All right, any public announcements before we get going? And I mentioned earlier this morning, the Missoula County Fairgrounds is a hopping place this week with the western Montana fair. If you've not had a chance to get down there and see how your investments in our fairgrounds look, please do. It is a spectacular sight to behold and please get out and enjoy your fairgrounds.

[00:01:15] I was out there just this last hour. Yes. Packed full with people and word I got was if you want to go to the rodeo tonight, get in line by 6:00. Ok, so it's it is hopping out there.

[00:01:28] Excellent. Any other announcements? All right. Is there any public comment an item is not on the agenda and for folks either online or in the room here in the Sophie Moez room and the Missoula County Courthouse? If you'd like to offer comment on anything that is not on the agenda today, this is your opportunity to do so, whether now or during public comment on public hearing items. If you were in the room, just come on up to the microphone, activate the microphone and state your name for the record and make your comments as succinctly as possible. Directed to the chair. If you were online via Microsoft Teams or on the phone, either unmute yourself on the phone by hitting Star six or raise your hand electronically and Microsoft Teams and we'll call on you in the order in which you raise your hand, so any public comment on an item is not on the agenda. Ok. See, none. Our current claims list claims received as of July 22nd through August 3rd by the Commissioner's Office total three million seven hundred and fifty thousand six hundred and eighty two dollars and thirty three cents. We have a number of public hearings today, and for each of these, I'll open the public hearing and we'll have a staff report or a staff update, followed by opportunity for public comment questions from the commission and then either debate and a final decision. Or we will continue the public hearing in an open manner until a later date. So to begin with, we will pick up where we left off with something that we introduced here a while back. And this is our justice, equity, diversity and inclusion resolution. Jomar Is there anything that you'd like to bring us up to speed with on this?

[00:03:23] Yes. Good afternoon, everyone. Can you all hear me, OK?

[00:03:27] We can hear you.

[00:03:28] All right. Well, good afternoon, commissioners. This is in reference to the justice, equity, diversity and inclusion resolution that we brought before you all a couple of weeks ago. There has been a lot of public interest and comments on this draft resolution, and based on those comments, we've made significant edits to the resolution. Many of the negative comments focused on concern that this resolution was designed to commit the county to a long, arduous and sometimes described impossible road to deconstruct inequities, or that this resolution was only paying lip service to issues and challenges in our in our country and county and society. Others believe that it would be undemocratic and should not be prioritized or and or would lead to more government regulation. Those speaking in favor of the resolution focused on the counties already established commitment to JEDI principles, the alignment of those and the work already being done within our communities and organizations to build strong relationships with partners, particularly our server, particularly sovereign tribal nations and partners thereof. This resolution reinforces Missoula County's values and supports the development of will and measurable goals for the Missoula

County, for Missoula County to work towards. And so examining the public comments, the public comments that have come in both for for neutral and against. We looked at ways in which the comments for similar dissimilar and try to identify some themes amongst them and start with. We'll start with some of the negative things. First, we'll try to get some of those out of the way we'll go with themes of which we diverged on points. Things that we diverged on were what systemic barriers and inequalities and inequities are. And it's particularly true around race, sex, sexism issues involving LGBTQ plus individuals and communities, and also socioeconomic status and class. Interestingly, I'd like to indicate that socioeconomic status is frequently recognized as a challenge in many of the comments for and against the resolution, but tended to diverge based on the perception of where individuals are from or the perceptions of what individuals or what groups can contribute to society.

[00:05:55] Are some things a commonality, this is the things that I get really excited about, the things that bring us together. It's a deep love for Missoula and Missoula County. A lot of emphasis on being good neighbors, being good supports to one another, supporting our community and supporting Missoula County as well, and a recognition of an investment, a recognition that that this requires an investment and that's time, finances, resources and personnel. And so based off of these comments, we made a number of based off of these comments and particularly comments from the Tribal Cultural Committee. We've made some significant changes to the resolutions that are documented before you in the resolution drives. And I will tell you all at some time to look over those. But some of the things that we made changes to were reframing to better recognize the impact of settler colonialism and government sanctions on the sailors, Kalispell or Ponderosa nations, as well as other indigenous communities. We've made some work in recognizing the large number of aging adults and pulling in and incorporating and engaging aging adults into this work, and also made some significant shifts in order. And the order and syntax of the resolution were as statements to generally improve the articulation and the layout of our challenges and how we seek to address them through the resolution. So based off of these changes, I am just recommending for you all to take a look at it and we'll see what you are decide to take action on as a result.

[00:07:35] Thank you, Jamal. Thank you. We might have some questions. Ok, thank you. Is there any public comment on this resolution that's before us recognizing that there is an updated version dated eight 12 that is connected to today's today's electronic packet, which folks likely have not had a chance to look at yet? And as a result, I will probably recommend that we consider not taking action today, but continuing this public hearing. But having said that, is there any public comment either here in the room, in the courthouse or online of or related to the Jedi resolution? Ok. See, none. Josh Juanita thoughts on continuing the public hearing,

[00:08:30] Pulling this up, and it's OK, this is draft for

[00:08:34] I have not had a I have I have not cracked it open and and feel like it might be a little rushed to do so on the spot.

[00:08:41] I was going to say the same thing. I appreciate keeping this open for another week.

[00:08:45] Well, actually be open for another month because that's when the next public hearing that we could shoehorn this into would be, which ought to be plenty of time to review.

[00:08:56] So that does that cause any problems,

[00:09:01] Should not cause any problems for us? The city's working on a different timeline, but Jomar could you speak to the two parallel paths city versus county?

[00:09:12] Sure. Absolutely. And I would like to preface this by just stating that I think that it's really important that we work towards really equitable solution to it. So for me, being able to, I don't think the my opinion in this matter matters too much. But I do think it's worth noting that the city is adopting a parallel, a parallel resolution. Their process should be they've had their public hearing on it. On Monday, the 9th and I'm not sure where we are, where the city is in regards to to the adoption of that resolution. But in terms of timeline or anything like that, the timeline is as really is ours collectively to to decide more.

[00:09:55] Could you reach out to? I don't know who your point of contact would be with the city and just let them know that we did not take action today, but we'll be continuing this until September 2nd, making some additional changes, which we're we're happy and absolutely have the mind we need to share those with the city. So.

[00:10:18] Absolutely.

[00:10:19] Ok, very good. Thank you. Thank you.

[00:10:22] Ok. And thank you so much for your recap. And that was really important.

[00:10:27] Those themes were really helpful.

[00:10:28] Yeah. Thanks, Jamal. I think that's a great practice to establish across departments in terms of summarizing public comment on issues. So thank you so much for that and for all the hard work that many folks have put into this to get us to where we are today. So we'll be methodical in this and revisit it on September 2nd. Ok. Any public comment on that item before we leave and we're leaving the public hearing open? Ok. Seeing none, it looks like since his face just appeared on the screen, our very own Chris Lounsbury, CEO of Missoula County, is joining us to provide a staff report on an alternative project delivery contract for the federal building.

[00:11:11] Good afternoon, commissioners. Sorry, there's a little bit of feedback, so I'll try to be careful to get some background noise here with kids, so this is a request for the commissioners to approve an alternative contract delivery method for our consideration for your consideration related to the federal building. So just as a reminder, what this means is, generally speaking, when the county goes out, we use either a bid build process where we go out, we get bids and then we immediately turn into construction or we use an alternative process and that's what we're recommending here. That alternative process allows us to go out and solicit through an RFP or RFQ, which is a request for proposals or a request for qualifications to bring a construction manager in at the beginning of the project to help us go through and do what we call value engineering. And so that means that person works directly with the architects and Missoula County. And as we go through that process with the architects of designing the project, they're actually going in and saying, Well, for example, you know, if you did this, that would save you this amount of money on on this particular project or if we change the way we're approaching the project, this would occur. And what that does is usually delivers a project for a much lower cost for the county than a straight bid build and allows us to be able to address changes that might be found as we go through the process by having that construction manager right there with us throughout the entire project.

[00:12:30] So state law requires that we hold a public hearing for this. If we're going to use an alternative procurement method, it requires that you consider the value that would be gained by using this method instead of a bid build, for example. And it also requires that you have adequate staff and resources to assign to this. So Missoula County has successfully used this particular method, both on the remodel of the Missoula County Courthouse at the fairgrounds that you mentioned at the beginning of your meeting, which is looking quite beautiful this year and also on our election center remodel that's occurring and the same staff that has worked on those projects. Many of them are still with us and would be assigned to this project as well. That includes myself. I have I participated in all of the projects that were just mentioned, Andrew Tierney, who's our chief financial officer, who's participated in all of those projects, and Hughes, who's our chief operating officer, who's participated in all those projects, as well as some new staff. Our facilities manager Jason Hauser and our owner's representative, Ethan Redfern, who has worked on several of these projects not on the Missoula County side, but has worked on them in the on the contractor side, having previously worked for construction firm here in town. So what we're requesting today is that you approve this request to use that alternative procurement method that will allow us to bring a construction manager on and go through the value engineering process to make sure we deliver the best quality product for the lowest cost.

[00:13:55] Thank you, Chris. Open the public hearing anyone here in the room or online who would like to comment on the resolution in this alternative procurement method proposed for our work at the courthouse or the federal building, excuse me, which was a courthouse at one point in time to any public comment. Ok, CNN will close the public hearing any questions from the commission.

[00:14:22] It seems like the summary has some pretty strong language necessary, desirable and in the best interests of the county.

[00:14:31] What do you think and you'll live with that?

[00:14:33] I can and sounds like a great team. I think that is a motion. And now I can't see the language I motion to request to approve a resolution for an alternative project delivery contract for the federal building renovation project.

[00:14:50] What do you think, Josh? I'm in a second. Ok. I've got a motion in a second any further discussion on the motion. So, you know, all in favor. Hi, thank you. Okay. Thank you, Chris.

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

[00:15:03] Nick, come on up and bring us up to speed. This is a continuation of a family transfer that we took up a few weeks ago and requested that the applicant and staff get together and see if you could figure out a positive path forward. And we'll give you a second to get plugged in there.

[00:15:35] Thank you, Dave.

[00:15:36] Like we said, this is a continuation of a previous public hearing and we also have an amended application based off of discussions between the applicant and staff. So this is the Ramos family transfer and the amended application is adding aggregation exemption to this proposal would do a quick background section just to get us back up to speed. Then I'll get into the new proposal. Starting with the background, the location of the project is approximately five miles south of Arly in the top most part of Missle County. Castle set approximately a half mile to the east of Highway 93 north and is fully within the Flathead Reservation boundaries. Both properties are unsound and the growth policy that covers this area is the two dozen and two regional. You guide and that caused these tracks as open and resource with a recommended density of one dwelling per 40 acres. They're getting into the onsite conditions parcel three of C.O.s six one three two, which is address two four nine two two two Valley Road. That's the one in the upper right hand corner. This parcel is ten point zero three acres in size, is owned by Mr Ramos, and on this parcel he is building a home and a barn. In the bottom left hand corner. We have parcel one of six six one. Three, two and his address two four eight six one two a valley road, the parcel is undeveloped with no structures and is ten point zero six acres in size and is also owned by the claimant Mr Ramos.

[00:17:12] Getting into the amended application. So first, the proposal would aggregate parcels one in three to create track three. One, it would be twenty point zero nine acres in size, and you can see it outlined in Green here on the. Proposal like plan. Next, there would be a. Really transfer that would result in the claimant's adult son, Tyler, receiving a five point zero two acre track, which is proposed as Tract three Dash one B, that is the one in the lower half lower left hand corner on the top. That would be five point zero two acres in size. The claimant's other adult son, Ryan, would receive the lower track, which proposes three Dash one A, and that would be five point zero four acres in size. Then the claimant Mike would keep possession of Track three Dash one C, which is ten point zero three acres in size and includes his home and barn. The proposed transfer would exceed the recommended density of the two thousand two regional language guide at approximately one dwelling per six point nine six acres. The application states Our tracks are intended to remain. Residential. And based off staff analysis staff is recommending approval of the aggravation and family transfer exemptions.

[00:18:31] Ok. Thank you, Nick. I don't know if on the line we have the applicant or applicants representative.

[00:18:37] We have Dan Foltz, the applicants representative here.

[00:18:40] Dan, is there anything that you'd like to add? I in your muted.

[00:18:46] Sorry about that. Nothing this time, Mike couldn't be here today, so I am here for any questions. I just want to say thanks to the Commission for and staff for meeting with us a couple of times and kind of work through this and not just slamming the door on it. So we really appreciate that. I think, you know, I guess we had talked on Monday about it, but Mike was a little apprehensive to give his son Ryan a parcel of ground right now just because he's in a younger stage of life than Tyler. But I guess they've had some internal family meetings and discussions, and

he thinks it's best for both of his sons to do this right now. And by doing the aggregation first, we're going to have all three parcels dedicated to a to a person. And so we don't have that concern of kind of that remainder straw parcel, as we talked about in previous hearings. So I think this is a solution that accomplishes the client's goals and the owners, the Ramos family and hopefully satisfy the commission's concerns.

[00:19:54] Thanks, Dan. Is there any public comment on this proposed family transfer in the amended application? Ok. See, none close the public hearing questions

[00:20:07] I had a quick question for Dan is, is Mr. Ramos planning on living in the home that he's building on the on the 10 acre piece?

[00:20:16] Yes, him and his wife, Wendy are. It's definitely their forever home. So they've been working, working to get this property for a long time, so they'll be there for the foreseeable future.

[00:20:29] Thank you. Other questions or comments?

[00:20:33] No, I'm just thrilled that we could come to this proposal.

[00:20:38] Yeah, great. Great work, all involved that we could get to a yes here.

[00:20:42] Yeah, thank you. Thank you all. This is some good creative thinking on the part of staff and also flexibility and patience on the part of the applicant, which we appreciate. As with so many of these, I always have a little bit of a few misgivings when it comes to significant deviation from the land use designations and growth policy. But all told, I think this is a good solution here.

[00:21:11] Yeah, and I appreciate that we can take things one at a time and individually and actually get to work through these interesting, difficult issues. So glad it's not just a blanket.

[00:21:28] All right. Nick, could

[00:21:29] You put up that motion language again, please? But. Here we go. All right, I would move that the request by Mike Ramos to utilize the aggregation and family transfer exemption to create and transfer two parcels to his sons, Tyler and Ryan Ramos, as presented in the exemption application and affidavit, be approved.

[00:21:52] Second, but there's an apostrophe there that. Is odd.

[00:21:59] Well, thankfully, it won't be picked up on the audio. So notwithstanding that it's in the passive tense, yeah, OK, we'll work on that in the future. Yeah. Any further discussion on the motion? Cnn all in favor.

[00:22:14] Ok. To the future of Paul's pancake parlor.

[00:22:17] So, yeah, thanks. It was going to prove that transfer.

[00:22:19] Thanks, Dan..

[00:22:21] Yeah. Thanks. Thanks, Dan.

[00:22:23] Yeah. Thank you. Thank you, Nick. To. Ok. And this is not Matt Hymel who is joining us today, we're going to be discussing and I open the public hearing on a proposed rezoning in the long edition and this is a resolution of intent.

[00:22:48] Good evening or good evening. Good afternoon. It's not evening yet. Give me one second here to pull some things up.

[00:23:01] Oh, oh. Huh.

[00:23:18] Sorry, my computer, it's like set up backwards because my things are on the wrong screen. Um. Do that pop up good. Know. Ok, so my name is Bailey Minnick, I am the planner three for caps, and I am reviewing the file here since Matt is on vacation. So this is a request for a resolution of intent to rezone a property. It's at nine five nine nine five zero Long Acres Lane. So this is just a general site location of the project. Let's see. Can you see my mouse very difficultly up there, but you have the Y Interchange access right here, so it's kind of out in that area. Here's a kind of a zoomed in version of the six parcels. There were six five parcels, sorry No. Six that are being proposed for the reason. And this is the existing zoning, and I'll get into that here in just a second. But the main thing is the kind of darker purple area oops, sorry, went backwards. The darker purple area is currently SC2, which is one of our commercial zones, and the kind of light blue shade is the CIA one, which is one of our industrial zones. So the request is to I guess I'll just get into it now, the request is to change the zoning on the six parcels to the North that are CC two and change them all to industrial zone like the property, to the properties to the south.

[00:25:17] And this coincides with our land use designation, which is all industrial center. So they are proposing compliance with our 20 19 land use element, which is an amendment to our growth policy. This is just some information about our industrial center zoning, it's a lot of little tiny print. So in reviewing the zone change request, there's criteria for review. Obviously, one of the main one is compliance with the growth policy. And then there's adequate transportation facility, public facilities, motorized transportation, character of the district, et cetera. And what staff has found is that it does comply with all of our criteria. So we are recommending approval of the request. It did go before the planning board on July 20th, and they also unanimously recommended approval as well. I can get way more detailed into this, but Josh is shaking his head. No, I won't. But Jamie is here as well. That can answer any questions, but that's pretty much it in a nutshell, in a nutshell.

[00:26:26] Ok, thank you. With the applicant or applicants representative, I'd like to say a few words.

[00:26:33] Thank you, Jamie Baker with WBM Group. Really not much else to add here, it is pretty straightforward. It is in line with the county's plan to eventually zone this area as light industrial. We just want to get ahead of the game a little bit so that we can occupy the existing building that is currently on lots three and four. So if you have any additional questions, I'm definitely here to answer them.

[00:26:57] Thank you. Any questions?

[00:26:58] My only question was looking at that map, it did look like one building was straddling two lots. How does that work?

[00:27:04] Yep. So you can do that per the county zoning regulations. And essentially they're considered merge then for zoning purposes and then setbacks are measured from the exterior boundaries of those two

[00:27:16] Parcels and the two lots are owned by the same

[00:27:18] Person. Yes. Correct. Yep. And that building that's on there, it's got five units inside of it and they'll be leased out. Great. Thanks. Do you want to show Bailey? Can you go to it? Yeah, I can. It all the way back or sorry. Now it's like when the team stuff changes, it messes with my my monitors.

[00:27:44] Any other questions? Or Jamie or Bailey? No public comment on this proposed rezoning. Anyone online want to comment? Ok. Cnn will close the public hearing any additional questions or emotion.

[00:28:04] Appreciate compliance.

[00:28:06] Yes, compliance is always appreciated.

[00:28:09] So I'm going to request the board to adopt the resolution intent to rezone the property. Ninety nine fifty long acres land zoned C C two and general commercial to C C I one light industry zoning district to be approved based on the findings of fact. In conclusion, the last date in the staff report.

[00:28:29] I'll second that any further discussion on the motion see none all in favor. Hi. Hi. Right. Thank you. And Bailey, just keep rolling West Point phasing plan extension slash modification slash flat adjustment.

[00:28:47] Ok, so this one I actually don't have a presentation for. So what we are doing to get all my stuff? Um, so this project was going to be heard before the commissioners and there it was, a phasing plan extension, a phasing plan modification as well as a plant adjustment all rolled into one. As part of the adjustment process, we do notice the advisory agencies, we notice the neighbors and there were some comments that were submitted that do reflect some of the criteria that we review the request on. So we discussed it with the applicant. We met with them and they've asked for more time to go back and look at some of these comments and criteria and come back with a better application. So because it has been legally noticed, we do need to open the public hearing, take anybody who wants to provide public comment at this time. And then we're asking you to continue the item with the public hearing open to the September nine agenda. And so I wasn't going to go into a lot more detail than that and just wait for that meeting. But Jamie is here, obviously as well.

[00:29:59] Jamie, is there anything you'd like to add at this point? Don't feel compelled.

[00:30:06] Thank you, Jamie Baker, again. Nothing else to add, just that we are looking into the neighborhood's concerns and plan on taking those into consideration and reporting back on September 9th.

[00:30:18] Ok, thank you all. Open the public hearing. Is there any public comment from folks here in the room or online today? Well, there's a lower a z with her hand raised, Laura.

[00:30:33] Hi, can you hear me?

[00:30:36] Yes, we can hear you welcome. Great. Laura, do you want to state your last name for the record here? Sure.

[00:30:41] Hi, I'm Laura XAMPP. I live in West Point. My husband and I have lived here for 10 plus years and we have two kiddos. I have a soon to be first grader and a preschooler. And our biggest concern for the neighborhood is accessibility, the ability for us to be in a neighborhood where our kids can play safely. We we love the location of the neighborhood. We love the proximity to Smet School. But even though I can see this met from my kitchen window, I could not safely. Let my kids walk to school at this point. There is not a direct path that doesn't take my kids on Butler Creek Road, where there's no sidewalk and there is a significantly increasing amount of traffic. We live the neighborhood is kind of at the top of a big long hill and our house in particular is kind of situated right on a blind curve. So I don't even feel safe letting my kids play in my front yard for fear that if they were to kick a ball or, you know, go rogue off the sidewalk, they could really easily end up in a bad situation. And so our biggest concern is that there are safe trails, safe pathways to the school and a safe place for our kids to play. So that's my biggest concern.

[00:32:23] Ok, thanks, Laura. And feel free to join us again on September 9th if you would like or submit written comments if you have not already. Yep. Thank you, Commissioner Vero.

[00:32:36] Did you get Laura's last name? Oh OK, thank you.

[00:32:41] Yeah. Dax.

[00:32:44] Hi, guys, good afternoon, my name is DAX Kean Q, And I just just wanted to, I guess, preface things with regards to my wife. My wife and I built in the West Point neighborhood about three and a half almost four years ago at this point. And ultimately, we. We when we purchased the our property and when we built, we were, I guess, assured things within the covenants. And to preface, I guess some of the I guess neighborhood's concerns just as a whole, I think we would just like to see everything that's within the covenants and that was promised executed by the developer. That's I think all we just are asking for at this point. One of our main concerns is with all these proposals, extensions combining of phase one, two, three four or whatever, whatever it is, is that all the amenities that were promised to us are pushed out to, you know, 10, 15 years when within the covenants, it was stating that we realistically those amenities should be constructed and completed within the time frame of construction along with the houses. And I guess in correlation with the houses that are as they're being built as opposed to at the end of any of these phases, especially if there's a combined phase of a giant phase of two three four. That pushes things out to your years down the road. Ultimately, I think we would just like to have the county ultimately approve. The

proposals, however, approve with conditions and those conditions are listed. In a letter that was signed by quite a few of the neighbors that lists lists out the conditions that we would actually like to to see enacted. I guess we can talk further on in September, but that's I guess that's just an overarching ten thousand foot view at this point.

[00:35:01] All right, thanks, DAX, appreciate that additional public comment. Don't be shy, or you can join us again on September 9th or any time between now and then, feel free to submit written comments. Ok, we will keep the public hearing open and revisit this in about a month, so. Ok, thanks, Billy and Bailey, our final public hearing today, which I will open, is on the circle, a ranch subdivision, and this too is a phasing plan extension proposal.

[00:35:46] Once I got here and I have to fix next time, my mask is going through the roof. We're doing great. Ok. That comes up. Yes. Ok. You. Ok. So this is a request for Circle H Ranch, it's a phasing plan extension. See? So here is the subject property location, it's actually right next to West Point where we were just talking about. And so it's actually made up of two larger parcels. That's why I have two arrows going to both of the parcels that are all part of it. This is the existing zoning out there, the zoning majority around here is all zoned. The zoning that's out was actually adopted as part of the overall subdivision approval, so it is specific to this the subdivisions West Point as well as the Circle H. And the land use designation out here, it's actually a split designation. It's split between working lands, which is the big green that I actually have highlighted right there. And then the lighter green is the rural residential and agricultural designation. And actually, the working land designation has a residential density range of one dwelling unit per one hundred and sixty acres to two one dwelling unit per 40 acres. And the rural residential and agriculture has a density of one dwelling unit per 10 acres to one dwelling unit per two acres.

[00:37:21] But I'll get into why this subdivision is different than that here in just a second. Um, so actually, right now, so the original subdivision, it was approved in 1994, so well before our current growth policy, as well as our land use element that was in 2019. There have been multiple extensions and phasing plan modification amendment, things like that over the years. But really, the bottom line is the current expiration for the subdivision is November twenty third of twenty twenty one. So we do our subdivision regulations have provisions for phasing plans, extensions, modifications, things like that. We do allow extensions of the phasing plans to a maximum of three years. And so applying a full three year extension would establish November twenty third twenty twenty four as the final plat submittal deadline date. We review the request we have. There's a list of criteria that we look at for it's in my staff report, but that complies with the regulations that the original conditions and approval are still valid there. The phases are standalone. No significant changes to the area have occurred since the subdivision and so we have found that it we are recommending approval of the request at this time. And so I have a motion, and Jamie is also the representative on this one.

[00:38:53] Ok, Jamie, come on up and share anything additional you would like to.

[00:38:58] Thank you, Jamie Rohrabacher. So circulation, West Point, they're a little bit unique in their own way. Buddy SEAL, he actually was the original developer of the subdivision and fell on hard times and ultimately he passed away and now circulates investment, who includes Mark Bretz and Brad Farnsworth. They took over ownership. I think it was 20, 15, 16, 16, 20, 16, and since then have been working diligently to complete these phases of the subdivision. And right now, their focus has been on West Point, though they do intend to file the lots within Circle H ranch. So Circle H Ranch is a cluster development, and part of part of that is that all of the open space is actually held in conservation easement by Five Valleys Land Trust. And so you'll see there in that photo where you've already got phase one that is filed. And those little lot or those little circles are actually the lots. And so all homes will be constructed within that. Do you have the phasing plan? I can't pull that up. Ok, thank you. And so the phasing plan request for the extension is for one phase, and that will include new circle lots, if you will, along that road system that you see on the east side of the parcel there. And so, as Bailey mentioned, we're in compliance with the review criteria and within the three year timeframe for the request. And I believe overall there was a 20 year total period that you can request out for extensions from twenty sixteen. So just wanted to note that we are all within that. And so here is the phasing plan, the pink that was within phase one and has been filed and phase two is the area that we're requesting the extension for.

[00:40:58] That's right, Josh.

[00:41:00] The phase three, phase three, I'm sorry, phase three, phase two and phase three were actually combined into one big phase three, and then the common areas are under conservation easement.

[00:41:11] Josh, thanks, Steve. So Jamie, as you may know, just from looking at the newspaper, there's some sentiment out there that these big complex subdivisions take forever because of red tape and governments not invested in business or getting things done. What happened here in 1994 to right now that we actually approved this in nineteen ninety four? I did hear there was a rumor that this land of Tim Walsh's desk in 1994. He put it under the desk, hitchhiked to Seattle and stood in line for a nirvana show. Forgot about it. And it's been there ever since. And I don't believe that's true. I think actually other things happened and I'd love to hear what happened.

[00:41:53] Yeah, I don't think Tim did that. But no, as I mentioned, you know, Buddy, he was the original developer of this and had hard times. It actually went up to auction through text sale, and that is one Circle H investment picked it up and twenty fifteen and have since been working great. There's a lot of improvements in infrastructure that are required with these large developers,

[00:42:17] So they really complicated and financing. It's all complicated. I just want to drive on the point it it wasn't us and best of luck, I hope you guys get the houses built in.

[00:42:27] Kurt Cobain died in 94,

[00:42:29] So it wasn't that easy. Rumors have been disabused of that rumor.

[00:42:34] Any other questions?

[00:42:37] Sorry, south of the property. The very first slide, I can't find it now. Can you show? Ok, so Bailey, the open space that's outside of the. What is happening to that property that has nothing on it, that's out south of the green lines? Yes, this is part of that phase. So the whole face of the Sun is that it goes all the way down it just the property I can't select to, which is kind of a pain when I follow you. Ok, thank you.

[00:43:10] Thanks, Jamie. Gentlemen, anything that you'd like to add or no, no need to come up if you don't want, but but I want to give you the opportunity. Ok.

[00:43:22] And get some motion

[00:43:23] Language before we get to that, though, is there any public comment? This is a public hearing, any public comment from folks either on the line or in the room on the proposed phasing plan extension. They check out the active.

[00:43:37] And I guess quick question, in correlation with the West Point neighborhood, the West Point neighborhood had a master trail and landscape plan. One of those trails extended into Circle H. Does Circle H have land like that that connects with that trail? Or I guess I've never seen that at this point.

[00:44:03] Jamie or Bailey, can either of you speak to that?

[00:44:13] I don't recall that ducks, but I can certainly look at the master trail plan, and it might be good to have a phone call with ducks too, so we could do that offline as well. Just talk about his concerns.

[00:44:25] Ok. Index is my understanding that you have submitted written comment already such that we have your phone number and contact. Yes, I've been. Ok. Ok. We don't have an answer for you right now, but Jamie will give you a call.

[00:44:43] But I think that that trail concerns West Point and not Circle H.

[00:44:47] I disagree wholeheartedly. The trail actually goes directly and is labeled as extension to the the horse facility. And it literally is. It extends it. It it dead ends like at the property line, according to the master plan. However, it's in in all the documents that I've seen, it's it's meant to extend and connect the two properties.

[00:45:14] Jamie.

[00:45:15] I'm now seeing that I just pulled up the trail plan. Yes, there is a Class three trail that is showing to connect up to the south side of Circle H.

[00:45:25] So does it just Peter out or dead end or is there

[00:45:31] Don't have a copy of the Circle Trail plan there or with me? Yeah. And I'm looking in our electronic files and I don't see one. The only one I find is under their West Point file, so I might have to do some digging as well. There was nothing in there. Circle each electronic right away.

[00:45:47] Ok, DACs, we will do some digging.

[00:45:51] I mean, the only phase left to file is phase three, so any improvements that would be required with that if there's a master trail plan. Those would be required with phase three. Ok.

[00:46:05] Thanks for pointing that out. Yep. Great, thank you. You bet. Additional public comment. Any additional public comment? Ok. Scene and I'll close the public hearing additional questions from the commission or discussion or comments or emotion.

[00:46:28] I'm good for motion if you go for it, right, I move to approve the phase and plan extension, extending the phase three final plot submittal deadline to November twenty three twenty twenty four second.

[00:46:41] Any further discussion? Ok. See, none, let's vote all in favor. I know it was unanimous I was going to say any opposed, but OK, we're good. Thanks so much for joining us today. Is there any other business to come before the commission? Ok. Cnn will be adjourned.