

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, OCTOBER 14, 2021 – 2 PM

Virtual Meeting – Microsoft Teams

[Click here to view the meeting recording.](#)

Time stamps (in green) correspond to meeting recording above. Please click to the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair Strohmaier
Commissioner Slotnick
Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Bailey Minnich, Planner, Community and Planning Services
Tim Worley, Senior Planner, Community and Planning Services
Nick Zanetos, Planner, Community and Planning Services
Bradley Seaman, Elections Administrator, Elections
John Hart, Deputy Civil Attorney, Attorney's Office
Jamar Galbreath, Equity Coordinator, Commissioners' Office
Emmie Bristow, Community Engagement Coordinator, Communications
Matt Heimel, Planner, Community and Planning Services
Mel Fisher, Strategic Initiatives Manager, Communication and Projects
Anne Hughes, Missoula County Chief Operating Officer
Sarah Bell, Communications Coordinator, Communications
Allison Franz, Communications Manager, Communications Manager

1. **CALL TO ORDER** *[Time stamp – 00:43]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:57]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 01:10]*
4. **PUBLIC ANNOUNCEMENTS**
 - a. [Proclamation: Hispanic/LatinX Heritage Month](#) *[Time stamp – 02:40]*
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 06:40]*

[None]

6. **CURRENT CLAIMS LIST** *[Time stamp – 07:00]*

Claims received as of September 29, 2021 to October 4, 2021 by the Commissioners' Office total \$1,029,911.93.

7. **HEARINGS**

a. **McDonald Family Transfer** *[Time stamp – 07:40]*

Nick Zanetos, Planner, Community and Planning Services

Commissioner Slotnick made the motion that [the Missoula Board of County Commissioners] approve [the McDonald] Family Transfer.

Commissioner Vero seconded.

[Motion passed 3-0.]

[Letter 2021-217. Mailed to: John P. McDonald.]

b. **West Pointe Phasing Plan** *[Time stamp – 13:33]*

Bailey Minnich, Planner, Community and Planning Services

Commissioner Vero made the motion to keep the public hearing open [until November 4, 2021.]

Commissioner Slotnick seconded.

[Motion passed 3-0.]

[Continued to November 4, 2021 Public Meeting]

c. **Steiner Family Transfer** *[Time stamp – 15:33]*

Nick Zanetos, Planner, Community and Planning Services

Commissioner Vero made the motion that the board approve Gyla Steiner's request to utilize the Family Transfer exemption, as presented in the exemption application and affidavit.

Commissioner Slotnick seconded.

[Motion passed 3-0.]

[Letter 2021-219. Mailed to: Gyla Marie Steiner.]

d. **O'Keefe Ranch Estates Phasing Plan Amendment** *[Time stamp – 26:51]*

Bailey Minnich, Planner, Community and Planning Services

Commissioner Slotnick made the motion that the O'Keefe Ranch Estates Phasing Plan Modification be approved, subject to the master conditions as modified.

Commissioner Vero seconded.

[Motion passed 3-0.]

[Letter 2021-226. Mailed to: Ron Ewart]

e. Direct Staff to Proceed Related to Elections Tabulation Equipment *[Time stamp – 35:47]*

Bradley Seaman, Election Administrator, Elections

Commissioner Vero made the motion that the commission close the public comment period on the question of precinct tabulator equipment upgrade and direct staff to proceed with an upgrade or shift to tabulating all ballots through a central count.

Commissioner Slotnick seconded.

[Motion passed 3-0.]

[Signed Request for Commission Action Form sent electronically to Bradley Seaman.]

8. OTHER BUSINESS *[Time stamp – 44:39]*

[None.]

9. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 2:45 p.m.

BCC Public Meeting October 14, 2021 – Transcription

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[00:00:02] Well, you know, I think so now that we're back to virtual meetings pretty newly, I'll put out a couple of reminders. Please keep your mics muted throughout the meeting so that we can avoid any background noise and we'll be recording this meeting and uploading the recording to YouTube. That said, if you want to keep your camera on throughout the meeting, you can, but you will appear in the recording. So you're also welcome to turn it off if you'd prefer that. Otherwise, I think that's all for me. Back to you guys.

[00:00:41] And Violet and welcome everyone, I'd like to call today's Thursday, October 14th meeting of the Missoula Board of County Commissioners to order. I am Dave Stromae or I'm joined by Commissioners Juanita Varro and Josh Slotnick. We acknowledge that this event today takes place in the Aboriginal territories of the Salish and Kalispell people. Violet, will you please unfurl the colors? 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. And just by way of housekeeping, we have a new camera here in our conference room that sometimes acts a little funky and does not allow us to have as smooth of dialogue as we might like. So if someone's talking and you're trying to interject, which we shouldn't be talking over each other anyway. Please bear with us and we will get through it. If at any point during the meeting where there's an opportunity for public comment and you would like to comment and I ask for public comment, please use the raise hand function in Microsoft Teams and I'll call on you in the order in which you raise your small virtual hand on the screen. If you're on the phone and want to comment, I'll ask for phone callers to provide public comment and unmute yourself by hitting Star six on your phone, which will unmute you and allow you to talk and just jump right in and say who your name is for the record and what it is you want to comment on.

[00:02:33] Please be succinct. Please be respectful. Keep your comments three minutes or less, if possible. And with that, we now have public announcements, one of which we have a proclamation today relative to Hispanic Latinx Heritage Month. Would one of my colleagues be so kind or interested in reading them? And referees, this is a proclamation. Thank you. Whereas September 15th marks the independence from Spain for a number of Latin American countries, including Guatemala, Honduras, El Salvador, Nicaragua and Costa Rica, followed by Mexico on September 16th, Chile on September 18th and Belize on September 21st. And whereas Hispanic, Latino, Latina and Latin ex are pan ethnic terms used to encompass people of South America and Central American or other Spanish cultural origin, regardless of race. And whereas National Hispanic Heritage Month began in 1968 as Hispanic Heritage Week and grew to a 30 day observance in nineteen eighty eight to recognize and honor the diverse people and rich histories, cultures and legacies that have Hispanic, Latino, Latina and Latinx roots. And whereas between 2010 and 2020, the Hispanic, Latino, Latinx and Latina and Latinx population accounted for fifty one percent of the United States population growth of twenty two point seven million. And whereas the national growth of the United States, Hispanic, Latino, Latina and Latinx population is reflected in Missoula County, with three point four percent of Missoula County residents identifying as Hispanic, Latino, Latina and or Latinx, representing Missoula County's largest nonwhite, racial and ethnic demographic.

[00:04:23] And whereas more than two more than 20 million people who identify as Hispanic, Latino, Latina or Latin ex identified with more than one race emphasizing the value of embracing intersectionality. And whereas in the words of revolutionary Mexican painter Frida Kahlo, at the end of the day, we can endure much more than we think we can. Now, therefore, be it resolved, we the Missoula Board of County Commissioners, do hereby proclaim September 15 through October 15th as Hispanic Latin Heritage Month to celebrate the freedoms won by people in many Latin American countries and to honor the rich Hispanic, Latino, Latina and Latin cultures and histories that have shaped our country and community. Thanks, Josh.. Yeah. The only other public announcement I'd like to make

is if you hadn't caught the news yesterday, the Big Sky Passenger Rail Authority rolled out a socio economic analysis that looks at the economic benefits of restoring passenger rail service between Chicago and Seattle via southern Montana. The results are looking very positive. Over four hundred and thirty thousand projected riders on this route, over two hundred and seventy million dollars worth of economic benefit across this line. So on the website, or where? Where can we read about this? Good questions. You almost think I prompted that? No, I haven't seen Dave since yesterday. Yes. So I don't think it's posted yet to the website. But if you're a social media person out there, go to our Facebook page where you can find a link to the document.

[00:06:10] And that's the Facebook page for Big Sky Passenger Rail Authority. Great. Thanks. All right. Any other public announcements or announcements for staff? Congratulations, by the way. Yeah, that's good stuff. Thanks. Ok. Continue to wear your masks and get vaccinated. I would add that all of our meetings, we're vaccinated and we're the only three people in this large field up in this room. This is our bubble hermetically sealed. All right. This is the time of the meeting where if there's any public comment on items not on today's agenda that are otherwise within the jurisdiction of the Board of County Commissioners, you can pipe up right now. Any public comment and items not on the agenda? Ok, moving right along our claims list. We read this each at each of our public meetings, our claims received as of September 20 9th through October 4th thousand twenty one by the Commissioner's Office total one million, twenty nine thousand nine hundred and eleven dollars and ninety three cents. We have five public hearings today, and during each of these we will begin with a staff report, followed by an opportunity for the applicant or the applicant's representative to say a few words. We will then have questions and discussion by the commission and vote on whatever the item is. So to begin with our first public hearing, which I'll open, is the MacDonald Family Transfer Request by John MacDonald to utilize the family transfer exemption. And we will begin with a staff report from Nic.

[00:07:56] Thank you, commissioner. Let me share my screen here. Then we'll get rolling. So the location of the proposed transfer is south of Sealy Lake, about six miles to the west of Highway, eighty three off of Riverview Drive, and we are adjacent to the Clearwater River. The property is zoned the growth policy that covers the area as the 20 10 city Lake Regional Plan. That plan designates this track as Town Residential with a recommended density of one dwelling four point twenty five acres. Far western edge of the property contains FEMA designated Clearwater River floodplain. I do want to note that the proposed division as well outside of the floodplain on the eastern side of the property. You mean to existing on conditions, the property is one point nine three acres in size. There is one single family home and one detached shop on site currently. And the density is one dwelling for one point nine three acres. Getting into the proposal itself, the proposal would result in the claim of the dots on Bridger receiving a one point zero one acre track proposed track one and the claimant would retain ownership of the proposed 0.9 acre tract proposed track to and this enclosure includes the home and shop structure. If the proposal were to go through, the new density would be one dwelling per point nine five acres, which is compliant with the.

[00:09:43] The recommendation of the 2010 plan. The project was sent out for comment. The plane administrator commented that he recommends that the final CEOs show the floodplain boundaries, and then he did note that the DNR is currently working on new maps for the Clearwater River, so these boundaries might change a little bit based off of when they file their CEOs. Then the health department commented that the project would require sanitation review per title. Seventy six for. Now, I'll go over step analysis where we examine it for rebuttal presumptions and general invasion criteria. So during that analysis, general vision criteria one was triggered is the claimant in the business of construction, dividing, developing or selling land? This is applicable. Mr McDonald is a general contractor who performs work primarily in the Lake region. Then generation number two was the original track transfer to the claimant within the past two years, and this is also applicable. Mr McDonald purchased the property on February 12, 2021, as evidenced by warranty deed recorded on book 10 49 Page nine forty nine. Next, I'm going to go over to the family transfer questions with the claimant, please ask you to state your name for record.

[00:11:16] John McDonald.

[00:11:18] Thank you. Question number one, did you buy the property with the intent of dividing it?

[00:11:23] No, no. Excuse me.

[00:11:26] Question number two, do you or your transfer is intent to transfer the property within the next year?

[00:11:31] No.

[00:11:33] Question number three, have you talked to anyone at the county about going through subdivision review?

[00:11:38] No.

[00:11:40] Do you then since the recipient is not a minor, we'll go over questions four and five. Will the property be developed? Yes. And five, will the recipient of the property be residing on the property?

[00:11:55] We are going to put my son started an excavation business and we are going to put a shop on it and for future possibly putting a home on it also, but immediately we'd like to put a shop on it for him so we can have a place to work on his equipment.

[00:12:11] Thank you. That concludes my presentation. In summary, staff is recommending approval of the post transfer. I'll turn it back over to you, commissioners.

[00:12:23] Mr MacDonald, is there anything else you'd like to add right now? Well, no other than that. It's just so difficult. My son turns 21 on Saturday, and for him to find any property that he could afford on his own is almost impossible. So I'm, you know, very hopeful that this will work so I can help him out and get him started. Understood. Thanks. Are there any before we go to commissioner discussion, is there any public comment on this proposed family transfer? No. Anyone on the phone today who would like to comment does not look like it. Ok, we'll go ahead and close the public hearing any questions from the commission. From pretty good, this seems quite straightforward. Is that your motion? Yeah, I would move. We approve this family. Second, any further discussion? Seeing none all in favor? All right, Mr. MacDonald, wish your son. Happy birthday for us. Yes. Thank you. Wonderful. Thank you. You bet. Thank you. All right. Moving right along the next public hearing, which I will open, is on the West Point Phasing Plan and Bailey.

[00:13:42] Good afternoon, commissioners. So this is I don't have a PowerPoint today because our proposal is pretty short. This project has been in the works for quite a little while, and we're actually asking that the public hearing stay open again and be extended to the November 4th meeting. If you remember this project, there's been some history with it and needing a subdivision improvement agreement that the applicant is working on, Jamie, can, you know, tell you more details? We have seen some drafts, they are working on it. And so we're just requesting that the meeting stay open to hopefully November 4th. Fingers crossed, really crossed that we should be able to make that, that meeting. So that's it. And if Jamie wants to add anything, she's president as well.

[00:14:32] Right, Jamie, anything you'd like to add.

[00:14:36] Nothing new, I did meet with the zombie homeowners today. I had a good discussion with them, so but beyond that, no other additional comments or news right now.

[00:14:47] Ok, well, why don't we go ahead and have a motion to keep the public hearing open? I don't know that we necessarily need to, but need to make the motion, but let's do it. Just have it on the record.

[00:14:59] Yeah, I'd be happy to make that motion to keep it open.

[00:15:02] I'll second that any further discussion on the motion to keep the public hearing open until October or November 4th. See, none all in favor. I thanks, Jamie. Thanks, Bailey. Going to hear November 4th? I will be here November 4th.

[00:15:20] I will not be here. Ok. Yes, I will.

[00:15:24] Yes, my venison will be in the freezer right now. Yes, we'll be here. Ok. Ok. All right. Moving right along, we have a double header of family transfers today. Our next one is a request. It's the Steiner family transfer request to utilize the family transfer as presented in the exemption application and affidavit. Going back to you, Nick.

[00:15:51] Thank you. May I get the PowerPoint pulled up? So the location of this family transfer proposal is in Houston. We are south of I-90 and about seven five miles to the east of the Houston I-90 interstate exit. Oh, the property is unknown, the growth policy that covers this area as the 22 regional land use guide, that guide designates this track as open in resource with a recommended density of one dwelling for 40 acres. The track is also within the Heusen Activity Circle, which is supposed to be areas of denser development close to community town sites. There is FEMA one hundred year flood plain as well as shaded x five hundred a year flood plain on portions of the property. Giving into existing outside conditions within the larger boundaries that we've seen on GIS and the map here, there are multiple historic tracks of record based of deeds, and the final transfer proposal is occurring on the parcel you see outlined in red here. Within this parcel, it is 80 acres in size, and there's currently one mobile home on the property for a density of one dwelling per eighty point four acres. It into the family transfer proposal itself. The proposal would result in the claimant's adult daughter Stephanie, receiving a twenty point three acre tract, proposes track to the application stage that this track would be used for the future home site for Stephanie. Track one, which is sixty point one acres in size, would remain in the ownership of the claimant. The application states that this track would continue to be used for agriculture. Then the application goes on to state that the reason for the. Proposed transfer is to create a lot under 40 acres in size for conventional financing purposes.

[00:18:00] It also indicates that all other parcels in the family ranch are larger than the 40 acre. Threshold and irregularly shaped or unbelievable, the proposed density would result in a new density of one dwelling for forty point two acres, which is compliant with the two thousand to reach Olympic venues. Guide recommendations. Get to H.S. comment, we received comment from the floodplain administrator who recommends that the FEMA floodplain boundaries be shown on the final schools and same as the last one, they are updating these boundaries. So depending on when they file, those boundaries could be slightly different the next. The health department commented that the project would require sanitation review. Going into staff analysis, where we examine rebuttable presumption and general evasion criteria, general evasion criteria number 10, could the division be accomplished by a different exemption that could be more appropriate for the land use? This is applicable, the claimant could utilize a baseline relocation involving one of the surrounding tracts of land and the claimants ownership in general aviation and criteria number 18. The exemption would cause significant impacts relative to subdivision review criteria that could lead to the conditions of approval. Equivalent sorry could lead to conditions of approval. Do that process, and this is applicable. While it is believed that the transfer would would be would have been brought forth as a minor subdivision. Conditions may be imposed based off of the location of FEMA deserted floodplain. This would include documenting compliance with the flood hazard area standards found in our sub regs. And next, I will go over the family to answer questions with the claimant. I please ask you to state your name for the record.

[00:19:58] Kyla and Steiner, thank you.

[00:20:02] Question one. Did you buy the property with the intent of dividing it?

[00:20:06] No. Can I give you just a bit of history about this property?

[00:20:11] We can. Do you mind if we go through the questions first?

[00:20:14] Absolutely no problem.

[00:20:15] Thank you. Question number two, do you or your transferees intend to transfer the property within the next year?

[00:20:23] I'm sorry, say that again.

[00:20:25] Sorry. Do you or your transferees intend to transfer the property within the next year? No thanks. Question number three, have you talked with anyone at the county about going through subdivision review? No. Right. Question for since the claim is not a minor will go over the last two questions, of course, and for will the property be developed?

[00:20:51] We have no intention of developing that property.

[00:20:54] Thank you. And Question five. The recipient of the property be residing on the property.

[00:20:59] Yes, she will.

[00:21:03] And then just in conclusion, with my staff report, Capps is recommending approval of the press transfer.

[00:21:09] Thanks, Nic. Thank you, Miss Diner, if you'd like to add anything, additionally, that's fine. Please, please go ahead.

[00:21:17] Ok. My my daughter and son grandson live on the property, which was developed in 1864 by my ancestors. There has never been another family residing on this property when my daughter moved back and grandson moved back from Tacoma. She chose this piece of property because that's the piece she loved, and she has a business about three miles down the way. And so we just decided that that would be her piece for the time being. And I've had my property under an agriculture lease for the last 15 years, and I didn't want to in any way disrupt that agricultural lease. So that's the reason for the for the 20 acres versus a bigger parcel.

[00:22:12] Thanks. Ok, thank you. And did you have a representative at all who would like to say anything?

[00:22:19] Mr. Major Grant Parker is here with us.

[00:22:23] Mr Parker, is there anything that you'd like to add at this point? I think you're I think you're muted, Mr. Parker. Ok, thank you, guys. I would like to I don't have much to add besides what I let what over already, but since the question came up in the BC meeting yesterday about the evasion criteria and and the staff report, which is well done, Mate made the claim that the boundary line location would be a more appropriate exemption than the family transfer. And I don't I'm not aware of any finding that the county has made that boundary line relocations are more appropriate and the family transfer is allowed by statute and clearly fits what Gail intends to do. And and I would I would hope that owners of larger properties and a ranch like Gila has or have the ability to use a family transfer rather than just owners a small parcels that don't have historic additional boundaries and parcels as part part of the whole ranch. We happy to discuss that further, but I have no further comments otherwise. Thank you. Is there any public comment on the proposed Steiner family transfer in public comment from folks in Microsoft Teams? Ok. Done, because public hearing, is there any discussion or comments or questions from the commission?

[00:24:09] I have a minor edit or question Nick on number two of the staff report, and I'm just from memory here. I'm not sure if it's number two, but I think it says the claimant is going to transfer to the adult son and shouldn't be.

[00:24:29] You're correct. One.

[00:24:30] Ok. Yes, I think that is that I know that is an error on my part.

[00:24:36] I have one other correction. The mobile home on that property has been sold and it's going to be removed from that property. No one is living in it, so I don't know if that counts or not.

[00:24:50] And for the record, Stephanie does plan to build a house on the property or around where the mobile home is. That's correct. Ok, thank you. We'll make those corrections in the staff report. Other questions from the commission. When is she going to build that house?

[00:25:09] Well, when the land is hers and probably in the spring.

[00:25:16] Right, thanks. The question is you were good. I'm good. Ok, I I'd entertain a motion.

[00:25:23] I move that the board approve Gila Stoner's Steiner sorry request to utilize a penalty transfer exemption as presented in the exemption application and affidavit.

[00:25:34] Second, that any further discussion on the motion see none. All in favor. Ok. Unanimous. Thank you very much. Thank you, Stephen. So on. Steven Schiffer. Go right ahead. It's Stephanie Schaefer, OK. Sorry. I see is not as good as it should be. Go ahead.

[00:26:07] Oh, thank you. I just wanted to make one. There was one more editing error. I don't know if the age of my age matters, but my age was on that document and it's incorrect. Does that matter at all?

[00:26:22] Well, we should probably fix that.

[00:26:24] Yeah, I was just going off what's in the application, but I will shoot you or I will shoot shot an email at four 06 and we can get the correct.

[00:26:32] Ok. I just want to make sure if it was needed to be changed, we can change it. Thank you.

[00:26:38] Thank you. You're not a day over eighty five. I can tell that. Ok, thank you. We'll get those corrections made. Thank you, Stephanie. Thank you. Ok. Our fourth public hearing, which will open is proposal related to the O'Keefe range of states facing plan. Barely.

[00:27:05] Ok. Hopefully, you guys can see my PowerPoint. There, I see myself behind you guys, too, so I think it popped up. Ok, so this is the Okey Franca states. It's a phasing plan modification. The property is south of Waldo Road on the west side of Highway 93 south. The technical representative is PCI. We go to the next one. So here's the subject property location. It's highlighted purple because it does have they did a boundary line adjustment a while ago. And so you can kind of see Waldo Rhodes is that s five seventy four blue at the top. The Y interchange down to the south. So this property does butt up against the highway. It does not have highway access, obviously, but it does. It's right there behind the Jellystone RV park. So just some project history here. The subdivision was originally approved back in October of 2005. It's for one hundred and ninety seven lots and subject to twenty seven conditions of approval. It was approved as a nine phased subdivision and phase one. Then I should say there's been multiple extensions of the subdivision as well as recently there was a plat adjustment and some condition amendments. But currently phase one has a final plat submittal deadline of October of 2020 to. Let's see it click OK. So phasing plane modifications are subject to review under our Subdivision Regulations Section five point seven point sixteen point eight And actually, since this was approved prior to May 8th of twenty seventeen, it actually falls under a sub subleader letter. They are proposing to amend some of the some of the boundaries and some of the sequence of different of the phases.

[00:29:11] The proposal would reduce the total number to eight phases, so they would be actually combining what was part of phases. Originally, phases one and two and three, they kind of did some modifications. And so they're lumping that in to just basically one big phase one. And the picture that's on the the slide here, that is their current updated proposal that they they have. And so let's see one of the issues for combining that phase one and what was phases one and two was to make sure that each phase meets that's parkland dedication requirements and that so that infrastructure that's, you know, needed isn't waited until the end, right? The very last phase. So that's why they combined it into phase one. The other boundaries would shift slightly. The biggest change is actually occurring between what's proposed as phase four and phase eight. And so that's actually the the one area that staff has the most concerns about. We're actually proposing a or recommending a condition that this road connection that would be to the Western property boundary, which is adjacent, has a subdivision proposed on that property as well. But that road connection, the applicant is request proposing that in it's this one here. Let me get my little laser pointer this one right here. They're proposing it in phase eight, which is the final phase, but we are recommending that that stays in phase four. So it actually be in this this phase here, which is how it was originally proposed and where.

[00:31:01] So we're recommending that that that that this phase four be modified so that that road connection is within that area. So we are recommending approval of the request. It's not proposing to alter any of the preliminary plat conditions or any, you know, anything else that's just dealing with the phasing plan. We did submit the request to agencies on September 13th. Mdt Environmental Health did not have any comments. Public Works did comment that the phasing plan was acceptable. They just wanted. It noted that as the years progress, the potential for regulations and construction standards do change. And so, you know, there are certain improvements that would need to be completed by the phasing plan. Deadline or construction plans would potentially have to be resubmitted. So there's just kind of a note for the the applicant and the developer. I'm sure they're aware of that as well. And then the county parks and Trails and Open Lands Department did comment that they had concerns relating to park maintenance improvement guarantee the creation of the side and those are all conditions of the subdivision approval, so they're not really any comments or issues with the the phasing plan itself. And so we are, as I said, recommending approval of the request, which just that one change that that Western property connection would be in phase four

instead of phase eight. And so if I can get my slide to go next, so I have a proposed motion for you as well, and I'm happy to answer any questions that you might have.

[00:32:40] If you think we might have questions in a minute, but in the meantime, Mr. Ewert, would you like to say a few words? Hello, good afternoon, my name is Ron Ewart with TCI. I could thank Bailey for all of her work on this. There is quite a bit of discussion back and forth between us, and so I think this is a good, a good recommendation as far as the connection goes. The reason that we have phase eight in locating where it is on the eastern boundary is just in case there's some problem with vacating Day Lane. Hopefully we can get that vacated won't be a problem, but it's been tried before and for some unknown reason it wasn't successful. So, you know, we'll go ahead and go for that again at some point here. So you'll be seeing us for that. Phase one should be filed this fall. That's that's what the goal is. If you happen to go up here, look off off the Waldo Road to the South, you'll see quite a bit of dirt moving, going, going on and some construction activity. So that's promising. We're trying to provide more housing for poor people, so. So that's really good. So anyway, we're we're OK with the recommendations for that connection. And before to see the next time on this one. Yeah. Thanks, Ron. Is there any public comment on the proposed phasing plan amendment? Ok, see, none, we'll close the public hearing on this questions from the commission.

[00:34:22] I have a question, Ron, this one would be for you, so. Preliminary plan approved 16 years ago. Right. What happened? Well, you know, I personally wasn't involved, but there was there was a different order a long time ago and different consultant, and then it's passed to other owners and other consultants, and here we are. I don't know why it took so long. I think maybe the economy had something to do with it. Thanks, Ron. Sure. Other questions, comments. Notion, perhaps there it is. Is it you? I'm happy to. I proposed motion I would move that the O'Keeffe Ranch Estates phasing planned modification be approved, subject to the master conditions as modified. Second, any further discussion on the motion see none all in favor. Hi, thanks, Barry. Thanks, Ron. John, thank you. Thank you. Well, we'll see you before 16 years left. Okay? And hopefully this is going to roll right on through and just do we're supposed to do. Thank you. Very good. Thank you. Right, our fifth and final public hearing today is a continuation of a discussion that we opened a week or so back. And this is related to elections, tabulation equipment and whether that's taking place at the precinct level or a central location. And Bradley Simon, would you like to bring us up to date? Hello, commissioners, can you hear me? Ok, sir? Great.

[00:36:14] Fantastic. Thank you very much. And as Dave just said, we're hoping to have some direction to staff to proceed with whether we go forward with a precinct level tabulation or a central count tabulation for our ballots throughout our election process. If you'd like, I could review the slides that we went through last week or we can kind of pick up with where public comment has come in at and follow through on this process. I'm kind of new to this whole process, so forgive me pleasure public comments with me. But let's just begin with public comment and radio, probably if you want to recap the OECD's recommendation. Exactly. Great. So that was the only public comment which we had received. That's kind of it. So to help share this with everybody, I will put together this into the chat here. It's a link to where it was listed previously. And just recap kind of their overall concerns. We had a very robust discussion mirroring the discussion that we had with you at the public meeting last Thursday. And to sum this up, let me see if I can share that screen with you so you can see it at the same time. I've added this here and shared this link for you here. Is it viewable for you? Oh, sure. Is that better? Forgive me.

[00:37:45] But that's OK.

[00:37:46] We're yes, we are ready. That's OK. Yeah, we've got it. But actually make it bigger. So the folks viewing at home? Yeah, that's probably a good idea. Could you make it like four hundred percent there or. There you go. That's better. That's it. So there are two main bullet points are listed right here, and they are recommending that Missoula County transition from precinct based ballot tabulation to a central county process through this robust discussion that we had with the Election Advisory Committee, we discussed multiple different areas and in particular discuss the transition from a higher level of polling place voters to a higher level of absentee voters. They did look at this and thought that this would be a good opportunity to utilize some of the funds that could be expended on new polling place level tabulators to do additional outreach and inclusion to those voters to help explain the reason for this process. We did previously have a budget amendment approved and are actually working on outreach videos. So we kind of have this covered in a few different areas, but can really cover through the main premise of the reason that they would be recommending this decision. If you chose to follow suit the same way, really specifying specifically that as we go through this, each county is individual and unique in the way that they

can process their ballots and that what we are seeing is with populated counties throughout the state of Montana, most jurisdictions have made the decision to transition over to a central tabulation.

[00:39:13] This provides us uniformity in the way that we transform the way that we count every ballot from every voter on Election Day, and it helps make sure that we are working hard to place a focus on customer service throughout the process, instead of very detailed areas on how to set up and run through and make sure our equipment is working correctly on Election Day. One of the big areas is that with 85 percent of Missoula County voters voting via absentee ballot, there are eighty five percent. Follow the central count process and this is how we tabulate all of those ballots, so we would be including in everybody into the same process. Ok, thanks, Bradley. Absolutely. Is there any sense this was our only public comment on this? Is there any other public comment from folks joining us today? Any public comment? Or need for clarification since we gave out and debated. Now I have one question. Yeah, it's

[00:40:17] Just did Alison see anything on any of our social channel responses or to generate any,

[00:40:27] Anything that engagement? Yeah, we did have coverage on this through Missoula current. And so it did go out last weekend to state that that was coming through. And Alison is talking a little bit about any public comment that may have come through social media channels to that. That was a nice done piece. Whoever did it?

[00:40:45] Yeah.

[00:40:46] Ok, thanks. Good question. Yeah, yeah. Bradley, if we made the switch from the precinct level tabulation to the central count with the number of precincts change, no, we wouldn't be changing the number of precincts necessarily. We would keep that the same. And now in twenty twenty three, we are required to redistrict and balance those precincts again. That would be where that standard process would take place. And so this change, specifically central count versus polling place level tabulation, would not have any change on the number of precincts because I think it's important to us that for people who really appreciate going to their specific polling place and they've been going there for 30 years, they want to get to go and it means a lot to them. And with this, they still will have the voter experience really won't change that substantially, but we will align our tabulation with actual patterns of behavior in twenty twenty one, which has eighty five percent of people voting by mail. Exactly. If you like violent, you have your hand up, would you like to say a few words or recap what Alison said?

[00:41:54] I was just going to quickly say they're just to read into the record. There is a comment in the chat from a Meghan or Meghan Ryan. And it just says I saw it in the current and support. It just wanted to make sure that was heard.

[00:42:10] Thank you. Bye. And Alison Franz, our communication manager, says that her microphone is not working at home, but I know we have not received comments on social media to her knowledge. Other questions? Bradley, I guess if if we were so to choose to shift to tabulation at a central location, is that is that more or less our motion directing staff to proceed in that down that path? Yes, exactly. It is. Proceed to central level count or continue forward with the purchase of precinct level tabulators. Oh God, that's one other comment. Yes. So the comment was we speaking for my friends here? We appreciate the level of detail and thought that the ECB put in to create this recommendation and value them as a voluntary board who makes recommendations to US electeds. And this process worked here and then they did a great job and gave us good information. I'm glad you said that. Thank you. And I did want to echo that as well. This is fantastic information provided out and in the direct spirit of the advisory committee to advise both myself and the Commission on Elections Procedures. Thank you. Right, well, what's your pleasure?

[00:43:29] Well, I moved at the commission, closed the public comment period on the question of precinct tabulator equipment upgrade and direct staff to proceed with an upgrade or a shift to tabulating all ballots through a central count.

[00:43:42] I would second that any further discussion on the motion see none all in favor by

[00:43:49] Which election would this be in

[00:43:51] Place? That's a great question. We would put this in place for the upcoming June primary election. Since the school election will already be by mail ballot, all ballots will be processed in that capacity. But this will allow us time to make sure that we're updating all of our instructions for judges and have a clear process that's publicly presented so that everybody can see this. Please correct me if I'm wrong, but next June would also be the primary for statewide races as well. Yes. So that'll happen in election. Not that the schools aren't. That's very important, too, but it will. It will be. It be a good turnout. I'm saying. Exactly. All right, thanks so much, Bradley, extend our thanks to the ecosystem. Is there any other business to come before the commission today? Ok. See, none. Have a great week, we'll be adjourned. Thank you. Thank you.