

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, NOVEMBER 4, 2021 – 2 PM

Virtual Meeting – 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 Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Bailey Minnich, Planner, Community and Planning Services
Erik Dickson, Transportation Engineer, Public Works
Todd Kietz, Floodplain Administrator, Community and Planning Services
Tim Worley, Senior Planner, Community and Planning Services
Mel Fisher, Strategic Initiatives Manager, Communications and Projects
John Hart, Deputy Civil Attorney, Attorney's Office
Allison Franz, Communications Manager, Communications
Shane Stack, Director, Public Works
Sarah Bell, Communications Coordinator, Communications

1. **CALL TO ORDER** *[Time stamp – 00:10]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:18]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:35]*
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 01:17]*
[None]
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 02:22]*
[None]
6. **[CURRENT CLAIMS LIST](#)** *[Time stamp – 02:36]*
Claims received as of October 6, 2021 to October 26, 2021 by the Commissioners' Office total \$5,090,140.49.

a. HEARINGS

Clinton Elementary School Zone/Speed Limit Extension Resolution [Time stamp – 03:28]

Erik Dickson, Transportation Engineer, Public Works

Commissioner Vero made the motion that [the Missoula Board of County Commissioners] [adopt] a resolution to extend the school zone and school zone speed limit on East Mullan Road of Clinton Elementary School.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Resolution 2021-114. Book: 1066 Page: 1062]

b. Riverfront Triangle Phase 1 — 310 Permit [Time stamp – 07:10]

Todd Klietz, Floodplain Administrator, Community and Planning Services

Commissioner Vero made the motion that the Board of County Commissioners approve the Riverfront Triangle Phase 1 310 Permit, subject to Phase 2 including riverbank debris removal and riparian management plan being submitted within one year of the approval date for the Phase 1 permit.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Signed permit sent electronically to Todd Klietz]

c. C&H Subdivision Condition Amendment [Time stamp – 26:12]

Bailey Minnich, Planner, Community and Planning Services

Commissioner Vero made the motion that the board approve the condition amendment for the C&H Subdivision with the recommended conditions of approval as detailed in the staff report.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Letter 2022-064. Mailed to: John Kellogg]

d. West Pointe Phasing Plan Extension, Modification, and Plat Adjustment [Time stamp – 37:32]

Bailey Minnich, Planner, Community and Planning Services

Commissioner Vero made the motion to extend the public hearing until December 2.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Continued to December 2, 2021 Public Meeting]

7. OTHER BUSINESS [Time stamp – 41:32]

[None]

8. **ADJOURN**

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

BCC Public Meeting November 4, 2021 – Transcription

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[00:00:02] Thank you so much, so for folks joining us. I'm Dave Stroma. I'm joined by Commissioner Juanita Farrow and I'd like to call to order this Thursday, November 4th meeting of the Missoula Board of County Commissioners. We begin by reminding each other that Missoula County and this event, virtual as it is, takes place in the Aboriginal territories of the Salish and Kalispell people. Violet, will you please unfurl the colors? Ok, there they are, and if you all will join me in the region, I pledge allegiance to the flag

[00:00:44] Of the United States of America,

[00:00:47] To the Republic,

[00:00:48] Which it stands

[00:00:50] One

[00:00:51] Nation under God, indivisible with liberty and justice for all. Ok, thank you, everyone. Thanks for hanging with us, it's always a little awkward to recite something like that in unison virtually. But. Okay. Any public announcements that we need to address or staff announcements at this time. And for this next item, which is public comment, a non agenda items or for any of our other agenda items today for which anyone wants to speak. If you're joining via Microsoft Teams, please use the raise hand function and I will call on you and the order in which you raise your hand. And I don't see anyone joining via phone if anyone is on the phone or wants to join via phone for whatever reason, hit star six and unmute yourself and start speaking at the appropriate time and introduce yourself. Please try not to be redundant if you're speaking on a topic to which other folks have already spoken. Try to keep your comments as succinct to three minutes or so as possible, and I will queue up at the appropriate time. But right now, is there any public comment on items not on the agenda? In any public comment on anything that's, I should say, within our jurisdiction that's not otherwise going to be addressed on the agenda today.

[00:02:33] Ok, seen scene, not our claims, and this would be our claims list of the Board of County Commissioners claims received between October six and October twenty. Total five million ninety thousand one hundred and forty dollars and forty nine cents we have for public hearings today, one of which actually, I think when we get to it, we'll note that we are going to postpone any formal discussion on it today and ask for an extension. I believe that's the West Point Subdivision, but we have three others for which we will open. The public hearings have a presentation by staff, followed by comments or presentation by the applicant or applicants representative, followed by public comment questions from the commission and commission action. So I'll begin by opening up a public hearing on proposed school zone speed limit extension resolution, and we'll begin with a presentation by or comments by Eric Dickson, who's with our public works department.

[00:03:44] Eric?

[00:03:45] Yes. Thank you, commissioner. So for the record, Eric Dickson, county engineer with the Public Works Department, The resolution that I've brought for your consideration today is the extension of a school zone and schools school zone speed limit on East Mullin Road at Clinton Elementary in August of 2014. We established the existing school zone speed limit, which I will share. My screen so that you can see that so the the red highlight denotes the school zone speed limit that was established in 2014 by resolution two zero one four zero nine five the Clinton School District. Since then, recently this year actually has expanded their campus when they acquired a non

contiguous parcel of land located at two zero three five nine East Moline Road. So that is where the current school zone ends. This parcel of land also includes a building which the district is using for daily pre-kindergarten school activities, and so that requires morning bus drop off and also requires that parents have access to that building throughout the day. So this request is to extend the school zone and school zone speed limit to Gold Street, which is the blue highlight there, and that will allow traffic to be slowed down to the school zone speed limit before they reach the actual school facilities where they have the school zone traffic, both vehicular and pedestrian. We also have on the call with us today Amanda Cyr, who is the superintendent of the Clinton Elementary School. So if there are any questions or comments for me or Amanda, we are both available.

[00:05:38] Thanks. Thanks, Eric. Superintendent Cyr, is there anything that you'd like to add?

[00:05:45] Export officer, I don't think so, as he had said with that new classroom right there and we have kids that go to the playground right there and with the road as close as it is, we'd like to do anything we can to make sure that we're keeping our kids safe.

[00:06:00] Thank you. Is there any public comment on the resolution? Any public comment? Ok. See, none, I'll close the public hearing any questions to Anita.

[00:06:15] No, this seems delightfully straightforward. And yes, we want to keep our children safe, so I don't have any comments other than I motion that they consider a resolution to extend the school zone and school zone speed limit on East Mulund Road of Clinton Elementary School.

[00:06:35] Ok, I will second the motion to adopt the resolution any further discussion on the motion.

[00:06:41] I just want to thank Eric real quick. I'm so sorry. I just want to thank here real quick for his work and for coming out and walking through it all with me and making sure that this happens. So thank you, Eric.

[00:06:51] You're welcome.

[00:06:54] Any further discussion? Ok, see you. Then let's go ahead and vote all in favor.

[00:06:58] Hi.

[00:07:00] Ok, there you go.

[00:07:02] Thank you both.

[00:07:05] Thank you. Thank you. Ok, our second public hearing, which I'll open, is on a three 10 permit proposed three 10 permit related to the riverfront triangle phase one and Todd. Do we not, Todd, there you are. It looks like you're muted.

[00:07:35] Good afternoon, commissioners, this is Todd Cleats, Missoula County Flood Plain Administrator. What you have before you today is a 310 permit for the portion of the Riverfront Triangle district and we can see where we're at. This is Orange Street. If you're able to see my screen and we're talking about the hospital building parking here through these properties down here and to get a better look at that. We'll take a Google Drive. There's Orange Street, there's the parking lot, which is not part of this particular project, but we're talking about this parking structure here and going downstream to include this office infrastructure. This parking here in this building and this building, all those buildings were constructed in the 60s and are posed for redevelopment. This is within the city zoning district that requires a 50 foot setback from the river, which would certainly be outside of the three 10 permit jurisdiction. However, the infrastructure that's already there, including these structures, which are way too close as well as the riverbank, are within the jurisdiction and you. This request is coming from WGS group on behalf of the development developers. And what they've designed is based on an anticipated request and approval to the city to reduce that 50 foot setback to twenty five feet within that twenty five feet.

[00:09:28] The city has agreed that if this variance to the city has been passed and approved, the developers have agreed to provide a public access easement along the riverbank there for general use. At this point, though, in time

we're not talking about or the developers are not requesting anything to do with that. They are requesting under phase one here to demolish these existing structures and begin the process for getting the property ready for redevelopment, which will be submitted to us later under a Phase two application. So I will now turn it over to Eric Anderson with WGN Group to further explain what they proposed. And then I'll follow up after that with some comments from your 310 team member reports. And again, the reason why the commissioners are being requested to do this is because it's within the 1946 city limits of Missoula, where the Missoula Conservation District does not have jurisdiction, but the county commissioners do. Eric, do you want to go ahead, Eric?

[00:10:39] Sure, thanks, Todd. Is it possible to share my screen or should I just describe

[00:10:44] A couple of things? Well, we will make you a presenter. Did you do that, please? Yep.

[00:10:52] Eric, you should have the option to present now. Ok, great. I don't have much, but I wanted to point out a couple of things. Yeah, Todd did a great job with the summary. Appreciate that, Todd. One thing I wanted to clarify this exhibit I have up here. I also showed on Monday, but I wanted to point out one thing the green is the new building footprint, which is going to be set back from the river and at its tightest point, which is about right here.

[00:11:31] Let's make this a little bigger, please. Or if it's possible, definitely.

[00:11:35] Let me zoom in on this section here. Great, thank you. It might be a little bit fuzzy, but on this West End, the building is set back twenty five feet. The future building is set back twenty five feet from the top of the stream bank, which is actually about 70 feet from the river itself, because the stream bank takes up quite a bit of room there. So in any case, it's a little bit more breathing room than twenty five feet from the edge of the river, I guess was my point there. The original setback in zoning is 50 feet from the floodplain boundary, and if a variance is approved, that will be twenty five feet from the top of Stream Bank. So that's this future building. There's actually the rest of the building is greater than that 70 feet, and that's the tightest point. So. Want to clarify that and then just real quick, go through a few of the things that we're doing to make specific riparian accommodations, both with this phase one three 10 permit and then with the phase two three 10 permit that we'll submit within the next year. First of all, we're not actually doing any stream work in the stream. We're minimizing to all extent possible the work on the stream bank. We have one pipe that'll need to be removed with the building demolition. We think that is part of the roof drain system. We're to the extent possible, we're protecting the existing riparian vegetation that's out there, especially the mature trees, right? This phase one permit, we're just trying to remove what's out there. Unfortunately, some of it's kind of tangled with the existing vegetation. So we've tried to limit that to the extent possible.

[00:13:39] We're planning to actually delineate the clearing limits during construction. So there's not any like oops during construction and clearing of vegetation that's supposed to be preserved. We have specified additional bumps, namely this berm that's going to go between the site, the demolition construction and the stream bank itself to kind of contain the runoff during that period. The project will have to have a sweep. The contractor will have to have a stormwater pollution prevention plan that they submit to BQ, which will have additional bumps. Other than that that berm I was talking about, and it will also specify temporary stabilization and permanent stabilization that has to occur. Temporary stabilization being any area that's left dormant for 14 days has to be stabilized. And then before they can close their sweep out, they have to permanently stabilize with appropriate vegetation, the entire site. Um, I mentioned the setbacks for the buildings already, and then in phase two, we plan to show the final trail placement on the site as well as buildings, all the grading and show how it all comes together, along with a riparian revegetation plan that will be as a part of that plan set. And if you've already looked at the recommended motion, we do plan to remove the concrete that's on the stream bank during that phase two three 10 permit. Some of it may require some stabilization of the bank because it's currently some of it is stabilizing the bank and we don't want to take it out and have it unravel. So I just want to go over those points, that's all I had, and I'm certainly available for any questions the commissioners may have.

[00:15:37] Thanks, Eric. Much appreciated. We might have some questions for you here in a second. Todd, back to you.

[00:15:45] Yeah, I think maybe before I go over the recommendations from the 03:10 team, Eric, I don't believe that today you certainly show the exhibit, but I don't believe you described where the existing structures are as

compared to where the new structures are going to be. I think that's a pretty important thing to bring up. Could you show that diagram again?

[00:16:11] Yeah, certainly I showed that on Monday. I'll go ahead and show that again. Flip to that slide. Ok, so this slide shows the current structure footprint. There is a parking structure here on the East End. An old hospital building which is next to it and then a surface parking lot next to it. And then on the far western edge, there's two older small buildings that were related to the old hospital operations. So this is the existing footprint right up to the edge of the bank through most of the site. And then I'll flip to this next one, which was proposed. This is the proposed footprint stepped quite a bit back from the existing.

[00:17:03] Thanks. Yeah, yeah, thanks.

[00:17:07] And before we go to you, Todd Ryan, did you have anything else you wanted to add?

[00:17:12] No, Todd and Erica doing a great job. Thank you, commissioner.

[00:17:17] Ok, thanks, Todd. Yeah, so if I can share what I want to show, you are the three 10 permit reports and these were prepared by your three 10 team. And the three 10 team consists of Evans from the Water Quality District and LED know tech from Montana, Fish, Wildlife and Parks. And so we'll just briefly go through these insignificant considerations. You'll see that there marked some moderate consideration considerations, nothing significant. I believe this one was from water quality district. They do have some specific recommendations, and I believe Eric's addressed some of those from water quality. District of revegetation plan. Timing and plant survival rates should be identified prior to removal of current structures and grading, and that best management practice is for reduction of silt should be adhered to and maintained the revegetation plan. Regardless, there's a little bit of unknowns here in this in that we don't know for certain if that variance setback is going to be approved or not. So we don't know for sure if there's going to be a public walkway there and if there is a public walkway there, we don't know at this point if that would be the applicant that would be constructing that or if that could potentially be the city of Missoula. Regardless, if it's the applicant or the city of Missoula, they will have to come back through a permitting process with us if it's the applicant for a three 10 permit process or with fish, wildlife and parks for our one point twenty four permit.

[00:19:03] And both of those permit processes will address revegetation plan timing and plant survival rates so that that will be addressed in the future. Now, looking specifically at fish, wildlife and parks recommendations, again, it's significant on these the specific recommendations down at the bottom here. Minimal disturbance to existing woody vegetation. So that's why Eric had indicated that they're going to do some work. There is a waste pipe down there, but it's not immediately surrounded by any woody vegetation, so it's not going to disturb any of that vegetation there burps and a physical barrier. Again, there will be a silt fence and also a dirt berm that will be there, which is in addition to the the minimum silt fence barrier, scrap, concrete and trash. The remaining of that we'll be taking care of through the Riparian Management Plan and then riverbeds, of course, will happen during the riparian management plan too. We don't want to have them spend a lot of effort in planting seed and and trying to revegetate this bank at this particular point in time, because we don't want all those plantings to not have immediate access to water until appropriate sprinklers are in place where that at least initially can go through the survival seasons. So that's what I head for there, and you'll see some more information in the report, as well as a recommended motion to approve.

[00:20:44] Thanks, Todd. Is there any public comment on the three 10 per minute? Oh, yeah. Eric.

[00:20:58] I forgot to make one point there during my my spiel, I wanted to toss out the consideration of of modifying the motion just a little bit for clarity, sick because I had to ask this question myself to Todd and I have it up. Sorry, I can share my screen to show it. Just a second. So it's just at the end of the motion to clarify that the phase two permit application be submitted within one year of the approval date for the phase one. I think it currently reads completing date. Yeah, the completion date, which at first to me sounded like possibly the completion date of construction. And so I asked Todd and he said he, you know, that's meant to be the sorry, the approval date for phase one permit. So just a suggestion there.

[00:22:00] Thank you, sir. Todd or John Harder. We OK with this proposed amendment. Amended Motion Language.

[00:22:10] Yeah, that original language, I believe, was drafted from part of the application, so this definitely clarifies it and definitely OK from my end for this.

[00:22:22] Ok. No objections, John Hart. No objections. Thank you. Ok, any questions, Juanita?

[00:22:34] Yeah. Maybe this isn't really related to the three tonne permit, but with this demolition demolition, what is there a requirement for any sort of recycling or re-use of the material? Does anyone know this too early in the process to tell?

[00:22:54] I don't know the answer to that, commissioner, I haven't heard of any specific plans for that. A lot of cases, I would imagine the parking structure will be recycled, the concrete usually usable and ground up for re-use. I do know asbestos mitigation has been completed and is done on all the buildings. But that's all I know about in regards to demo.

[00:23:24] Thanks. Do we have any? Well, do you have any sense of whether this site that will be demoed here is also part of what was the city dump at one time? Because I know to the East that was a dumping grounds into the river for for a good period of time? And is there any concern that once you start removing the concrete, it's one thing leads to another and you're going to find more material that needs to be removed that has the potential to kind of unravel the bank more than what you anticipate.

[00:24:07] We've had these discussions. I've had a lot of discussions about this with Chris Beaven. He was very involved with the bauxite cleanup project and there is a chance I I don't think it's been done yet. I can't remember, but there does. There is plans to do some additional drilling, geotechnical drilling for foundation design. But I think it was decided to wait on that until the demolition is complete, and that would tell us more information if we think we're going to get into trash. But the work that was done on the riverfront or the Fox site clean up indicates there's maybe a chance in the southeast corner of the project near where Owen Street comes down, but it's not believed to be further to the West.

[00:24:56] Ok. Thanks.

[00:24:59] I didn't know that historical fact. Dave, thank you.

[00:25:02] So yeah, it's it's one of the less glamorous pieces of Missoula history where we saw the river as a glorified sewer for many, many years. So any other questions are how about a motion?

[00:25:24] I move that the Board of county commissioners approve the riverfront triangle phase one three 10 permit subject to phase two, including River Bridge, Riverbank Debris Removal and Riparian Management Plan being submitted within one year of the approval date for the phase one permit.

[00:25:41] I will second that any further discussion on the motion. See, nothing. All in favor. Hey, hi. All right, thanks, Eric. Thanks, Ryan. Thanks, Todd. Good luck with that. Yeah, it's been a long time coming. Seeing some redevelopment down there, so I hope it all comes to fruition.

[00:26:06] Thank you, Commissioner.

[00:26:07] Thank you. Thank you,

[00:26:11] A.j.. Our next public hearing is on a request to approve a condition amendment for the cash subdivision. And there's Bailey Bailey. Do you want to provide us a staff report?

[00:26:29] Yes, hopefully you guys can see my PowerPoint presentation that hopefully popped up.

[00:26:34] Perfect.

[00:26:34] Ok, wonderful. Ok. So this is the C and H Subdivision Condition Amendment, the property here, I'll go to the next slide. It's located off of professional drive, which is a new road that was came in with the Subdivision C and H subdivision. So it's just located here on Highway 10. Just before you get to the Y interchange, does that railroad trestle bridge that goes over and it's just but before that, it is involving two of the lots. Oh, here, I guess I'll go through. So it's zoned Industrial See one. It is a commercial subdivision that was approved, and the zoning does match the land use element for the industrial center as well. I get going too far ahead in my brain.

[00:27:25] So sorry about that.

[00:27:28] Really? Yeah, maybe you're going to note this here at some point. But if folks are having a moment of deja vu, this is not the first time that that this is being brought forward. This is a continuation of a discussion that was begun or a public hearing that was opened sometime back.

[00:27:47] Yes, that is correct. Yeah, actually, I was going to bring that up. Here it was. I'll just get to it now. So the request on May 20 seven, the the this request was brought before the Board of County Commissioners with actually a recommendation for denial from staff, and that was based off comments that we've had submitted with the Missoula Rural Fire District. And so to get into that, they are proposing to amend condition number eight of the subdivision. So the subdivision was approved in twenty eighteen for five lots for commercial use as in compliance with the zoning and everything. The condition number eight required that fire sprinklers be installed and all new buildings within the subdivision, and they're requesting to amend that condition only four lots four and five to allow for a water storage system in lieu of the fire sprinklers. So the original condition would remain for lots one, two and three. And so they have been working with their representative to come up with the water supply calculations that would be required and those were submitted. It would actually be made up of two five thousand five thousand gallon storage tanks located along the Internal Subdivision Road. So as part of this process, we notify advisory agencies for comment. The comments came back in May from Missoula Rural Fire that were in opposition to the request. So at that May hearing, we actually had some discussion with Missoula Rural Fire.

[00:29:26] They had, some should say, some ideas or some things that could be amended in the application to make it a supportable request. So since that time, the applicant has been working on that, and they did submit an updated fire suppression plan and additional information on September 29th, and we sent that back out for agency comments. And Missoula Rural Fire has submitted new comments in support of the request. Based on that, updated information, so we did review the request under section six point seven of our adjustments to final filed Platts because this is a filed final plat, not a preliminary plat. And so we do our recommending approval, but we do have some conditions. Obviously, the language that would be needed for condition eight, which is the one that they're amending, would need to be modified a little bit. So we do have some draft language to be added. It's it's a weird situation. We don't want that condition to be wholly removed, right, because it still has to apply that lots one, two and three. So we have an additional little paragraph that would actually be added to that condition. Eight just specific to lots four and five regarding their fire suppression plan. And that also includes the requirement for a fire alarm system to be reviewed and approved by Missoula Rural as well.

[00:30:55] And then if the condition is is approved ultimately by the commissioners, it it kind of kicks in these other two things that would need to happen. One is there is some specific language within the recorded covenants requiring fire sprinklers and all buildings that would need to be amended in order for this to go forward with this with this project. And so we have some draft language. That's what we use when we have subdivisions that have this type of project come in. So they're pretty consistent conditions. That would we would see on a normal preliminary plot that we've had come through. But also there is a note that is on the face of the filed final plat that also would need to be tweaked or amended. And so we have a condition requiring not necessarily a whole new plot, but just an affidavit that would be recorded as an exhibit to the filed plat to basically state that lots four and five have had this condition amendment as well. So it still keeps everything in in place for the other lots one, two and three, and just these extra extra things. So that's what we're recommending with our conditions. And I have that motion and I can answer any questions. John Kellogg is here representing PCI and the applicant, and I'm sure he can happy to answer any questions as well.

[00:32:22] Thanks, Bailey. John, is there anything that you'd like to add?

[00:32:27] Yeah, I appreciate Bailey working with us on this and and also Pete Giardino, Deputy Fire Marshal. From the beginning, he has identified the sizing of the the systems that are going to be part of this system. And Matt Cavanaugh has been working with Pete and and we certainly appreciate him and his ability to accept the this is a good safety alternative to the sprinkler systems. I also wanted to add in the letter from the email from Pete Giardino, in addition to approving the size of the ten thousand gallon size of the cisterns. He also says that they've approved the fire alarm system the dyna mark has submitted. So we're pretty well working along with Pete on that. Also wanted to mention that I, as I said, I appreciate staff working with us and and we're and Matt is kind of anxious to get going on this and and he thinks it's a good approach. I guess I want to emphasize the reason that we submitted this after the approval of the subdivision was that at the time of the subdivision submittal, we did not have specific plans for the structures and there what materials they would be built from. And so that's why once that was nailed down, we could, we could then work toward a fire suppression system that would be appropriate under the NFPA standards. So appreciate your patience with this. Thank you.

[00:34:36] Hey, Bailey, do you have like a visual of folks? So are. Or we can see the buildings, the systems, the. But if it's not. Don't worry about it

[00:34:49] Or John, if you have anything like that, yeah,

[00:34:53] I have one here. Give me one second

[00:34:56] To believe it was part of our submittal. The layout that the the buried cisterns would be right to the left as you're entering into the subdivision and there would be a port there that would be accessible to the fire trucks as they arrive.

[00:35:18] The one building I feel like I remember, straddles two parcels.

[00:35:24] That's correct, yes.

[00:35:29] So if you hopefully you guys can see this and I can zoom in here. So here's the where professional drive and Highway 10 meet, and so these would be the two tanks. This is their proposed location. And so the building, yeah, and the parking and things like that. So. And I did also run the request by public works. Since this is a private road, it's not a county road. So there wasn't any issues, necessarily with the location, like any permits needed for encroachments in like the right of way or anything like that. The only concern public works had, and I know I believe he's been in contact with PCCI Brent O'Connor has and I think they were meeting outside or with the property owner as well is just making sure it won't mess up any of the stormwater drainage plans or anything like that, because I believe there is supposed to be like a retention pond or some type of a swale or something out here beyond my my knowledge or expertise necessarily on what it's called. But that was mainly a public works concern. But it wasn't something that you know necessarily is a deal breaker. It's just making sure that that still keeps everything in line as well.

[00:36:47] Great. Thanks, Bailey. Thank you. Any public comment on the proposed condition amendment? See now in any other questions, we need it.

[00:37:02] I move that the board approved the condition amendment for the subdivision with the recommended conditions of approval, as detailed in the staff report.

[00:37:11] I will second that any further discussion. See, no, no in favor.

[00:37:17] All right. Glad we could get here. Thanks. Yeah.

[00:37:21] Thanks for hanging with us. And coming up with a workable solution, you know.

[00:37:27] Appreciate it. Thank you.

[00:37:29] All right, thank you. And last but not least, John Hart. I'm assuming this is to you. Or maybe it's Bailey. I'm still looking at you. Whoever wants to take provide an update on where we are at with the West Point phasing plan extension.

[00:37:51] Don't scare me like that, commissioner. Go ahead. Oh, he's the expert on this project and the expert.

[00:38:02] Yeah, I

[00:38:03] Know enough to be dangerous.

[00:38:05] Oh gosh. See Ryan nodding as well. Like, I'm now the expert. I did. I did get an email. So after Monday's caps update, I did receive an email from wbhm from GMI requesting that we postpone this item again to December 2nd. And and I guess the one thing I wanted you guys to know, I think I mentioned that the last time too is, you know, the reason we have to keep postponing this is because the subdivision, you know, there is an expiration date. And so we can't just push it out to whenever we have to keep it, we have to keep moving it and show that we're doing this just for the timeline of that. So that's why I'm basically would be coming to you and they're requesting to postpone it again. We're working with the neighbors. Actually, Ryan and I are going to meet tomorrow morning. We've been in contact with the neighbors, try to get these things straightened out so that when this subdivision improvement agreement comes before you and the request comes before you, we might not be able to address everything that the neighbors want. You know, there might be things that are outside of the county's role or the county, you know, can't be that mediator for those items, but we'd at least like to have the items that can be addressed should they be addressed and more of a bullet point. Yes, no or not are not applicable kind of a discussion. So hopefully it can be finished up because we really would like to see this project wrapped up as well.

[00:39:38] Thanks, Bailey. Brian, anything you'd like to add?

[00:39:42] No, just kind of expand a little bit on. Bailey did a great job and has been awesome to work with, and I appreciate the commissioner's patience on this. There's definitely some public comment that we got in those emails that are is outside of what we're considering right now, so I think it's worth the time to sit down with the two neighbors. I spent this morning going through their comment letters line by line, putting my responses in there. And if it's in a maybe if it's an issue, I'd like to sit down with those folks and see if we can agree that it's an issue. And then I also would like to take the time to go through our cost estimate for the improvements agreement with the neighbors. And so if they have questions and think something's not included, I want to point them to it or make sure that it is included so they feel like they are. The improvements for phase one that are not completed are secured appropriately.

[00:40:47] Ok, well, I guess in order to be official, how about we need if we have a motion to extend the public hearing until December 2nd?

[00:40:57] I will make that motion.

[00:40:59] I will second that. Any further discussion or public comment on extending the public hearing until December 2nd. Gene, none all in favor.

[00:41:14] Hi, thanks, Bailey and Ryan, for doing that.

[00:41:18] Ok, we'll reach the finish line eventually here.

[00:41:22] Yeah, we're feels close. Thank you, commissioners.

[00:41:25] Ok, thank you. All right. Well, that ends all of our official business. Is there any other business to come before the commission today? Ok. Two, forty two. We'll be adjourned.

[00:41:42] Thanks, everyone. Bye.

[00:41:44] Goodbye.