

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, DECEMBER 05, 2024 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/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 David Strohmaier

Commissioner Josh Slotnick

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office

Christina Dewar, Administrative Assistant, Commissioners' Office

Annie Cathey, Lead Administrative Assistant, Commissioners' Office

Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office

Mattie Scott, Administrative Assistant, Commissioners' Office/Facilities

Carey Powers, Community Coordinator, Communications

Patrick Swart, Planner, Planning, Development, and Sus

Brenna Davis, Community Engagement Coordinator, Communications

John Hart, Lead Civil County Attorney, County Attorneys' Office

1. **CALL TO ORDER** *[Time stamp – 0:02]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:04]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:24]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:42]*
 - a. Closed Captioning
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 1:37]*
6. **CURRENT CLAIMS LIST** *[Time stamp – 1:58]*
Claims received as of November 0, 2024 to November 25, 2024 by the Commissioners' Office total \$6,124,112.69.

7. HEARINGS

a. Circle H Ranch Phasing Plan Extension and Amendment *[Time stamp – 2:35]*

Commissioner Strohmaier made the motion that the Board of County Commissioners of Missoula County hereby approve the Circle H Ranch subdivision phasing plan modification and extension, dividing the existing Phase three into sub phases Phase 3A and Phase 3B and extending the final plat for the submittal deadline for both phases to November 7th, 2027.

Commissioner Slotnick seconded.

[Motion Passed 2-0.]

[Letter 2024-201 was sent electronically to Jamie Erbacher, WGM Group]

OTHER BUSINESS

[None]

8. ADJOURN

Chair Strohmaier – Called the meeting to adjourn at 3:32 p.m.

BCC Public Meeting December 05, 2024 – Transcription

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Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

0:02

County Commissioners, please and join me in the Pledge of Allegiance.

0:04

Pledge allegiance to the flag of the United States of America to the Republic for allegiance 1 Nation Divisible.

0:24

Missoula County acknowledges that this event today takes place in the Aboriginal territories of the Salish and Kalispel people.

0:32

I am Commissioner Dave Strohmeyer, I'm joined on my right, your left by Commissioner Josh Slotnick.

0:37

Commissioner Juanita Vero is out of town today and unable to make it so.

0:42

Cheryl, any opening instructions?

0:47

Hello, everyone.

0:48

If you're joining us for this meeting virtually today, instructions for turning on closed captioning are on your screen.

0:55

If you're joining us in person, we'll have closed captioning on all the screens here in the Sophie Louise room.

1:00

There will be an opportunity to speak during the meeting for public comment virtually and in person.

1:05

We ask that all speakers today speak slowly and clearly.

1:08

This helps with the accuracy of the closed captioning if you're on Microsoft Teams.

1:12

If you'd like to speak when discussion has been open for public comment, we ask that you use the Raise Hand feature.

1:18

This is the small hand button at the top of your screen.

1:21

Once called upon, you'll need to hit *5 to raise your hand.

1:26

Excuse me.

1:26

Once called upon, you'll need to hit *6 to unmute.

1:29

If you have any questions, please find me during the meeting.

1:32

Thank you.

1:34

All right.

1:34

Thanks, Cheryl.

1:37

So at this point, are there any public comments on items not on the agenda?

1:43

And there is only one agenda item today.

1:45

This is the Circle H Ranch phasing plan, extension and amendment.

1:50

But for folks online or in the room, if there's anything else you'd like to talk about other than that, now is your opportunity.

1:58

OK Claims received as of November 7th through November 25th by the Commissioner's Office total \$6,124,112.69.

2:15

We have one public hearing today.

2:16

We'll begin with a staff report, followed by an opportunity for the applicant or applicant's representative to say a few words.

2:22

We will then open it up for public comment.

2:25

We'll close the public hearing and the Commission will deliberate and vote.

2:29

So with that, Patrick, would you be so kind as to provide a staff report?

2:35

Good afternoon.

2:36

My name is Patrick Swart and I'm with the Office of Planning, Development and Sustainability.

2:42

And today I'll be presenting a request that Missoula County received to modify and extend the phasing plan for the Circle A Trench subdivision.

2:51

This request came from Circle H Investments LLC, who's represented by WGM Group.

3:07

So on the screen we have a look at the location of the property.

3:10

The Circle H Ranch subdivision is shown in this tannish yellow color.

3:15

It's directly to the east of Butler Creek Rd.

3:18

and just to the north of Interstate 90.

3:23

The subdivision was originally approved back in November of 1994 as in three phases that contained 76 residential lots in addition to common area, much of which is subject to a conservation easement and there is also a 90 acre equestrian park on the property and the total project sits on 825 acres.

3:50

So to date, phase one of the original three phase approval has been filed and through subsequent phasing plan modifications, the remaining phase two and three were combined into a single phase identified as phase three under the current approval.

4:07

And I'm tracing on the screen here the boundary between the filed phase one to the West where you can see these circle lots and everything.

4:16

To the east there is the remaining phase three which is subject to the 2019 Missoula Area Land Use Element and amendment to the 2016 growth policy.

4:26

This it has a mix of two and use designations, one being working lands and the other rural residential and agriculture.

4:33

And it falls within the E Butler Creek Rural Zoning District and it's Sub District A, which calls for clustered rural residential development at a density of one dwelling per 10 acres.

4:49

Here is a side by side look at the current phasing plan and the proposed phasing plan.

4:55

As I mentioned before, phase one is currently filed on this left map.

5:00

Here we can see that in pink and phase three is the current approved remaining phase which has a final plat submittal deadline of November 23rd of 2024.

5:10

Today's modification and extension request did come in prior to that submittal deadline.

5:16

On the right, we can see that they are proposing to divide this remaining phase three along this boundary here creating sub Phase 3A and Phase 3B and then to extend the deadline for final plot submittal on both of those out to November 7th of 2027.

5:34

That's three years from the date that we received the the request and in payment for that under our current regulations.

5:42

Since this was approved prior to the 2017 regulation updates, the maximum extension that this could theoretically receive if they keep coming in for one to three-year extensions would be to push it out to November 4th of 2037.

5:59

This graph illustrates just a brief overview.

6:02

In the left column, you can see history of approval, dates of phasing, plan modifications and extensions, and on the right, the final plat submittal deadline would be the date that all phases would need to be submitted by under those extension requests and approvals starting with the original approval in 94 had the whole project being completed by November 23rd of 2002.

6:24

In 2002, phase one had been filed by that point and the final plot submittal was pushed out to 2010 and so on and so forth.

6:33

And then you can see here in 2016 is when the request came in to combine the remaining phase two and three.

6:40

And I believe this was shortly after the current owner, Circle H Investments acquired the property in 2015.

6:53

The application requires the applicants to provide a reason for the request.

6:56

And they stated that, as I just mentioned, they purchased the Circle H Ranch land and development rights in 2015.

7:04

And at the same time, they also purchased a separate subdivision known as West Point, which happens to be located within the boundaries of the original phase one of Circle H Ranch.

7:16

But it is a separate subdivision with its own approval and phasing and conditions.

7:21

And they stated that they've been working diligently to meet the infrastructure requirements within West Point and as a result of that have not been able to meet the current approval deadlines within the Circle H Ranch subdivision.

7:32

So that's the reason they're coming in for the request today.

7:39

Here's a quick overview of the review criteria that were required to evaluate extensions and modification requests against.

7:48

I go into detail in the findings and conclusions and staff report attached to the agenda today, but I'll just give a brief overview here.

7:55

We're asked to consider whether or not the request complies with our regulations.

8:00

Does the request have the applicants demonstrated that they can meet the deadline?

8:05

Will this request conflict with prior commissioner's decision such as preliminary plat approval and conditions of approval?

8:12

Will the proposal create functional phases that can operate a stand alone phases?

8:18

Will it result in incremental completion of infrastructure within those phases?

8:23

Are there any significant changes expected on the ground that wouldn't change the way that, and that's within the window of the extension request that would change the way that the planning office would review the subdivision and are there going to be any impacts to public facilities and services?

8:39

Of these criteria, the only one that staff found the applicants didn't clearly meet would be item B, the ability to meet the new deadline.

8:48

It it wasn't clear that they could or couldn't meet the new deadline.

8:52

This is kind of based on the reason for the request being that West Point subdivision they've been working on filing or A completing the infrastructure in there.

9:01

It was noted that they did receive extension request for the West Point subdivision earlier this year, which pushes that I believe that filing deadline back to 2027 as well.

9:12

So it we just felt that it wasn't clear one way or the other under that particular criteria.

9:20

We are also required to send this out to relevant agencies for review and comment and we did not receive any comments.

9:27

So with that, I do have a recommended motion for you today, but I believe the applicants are here and may also have some things to say as well.

9:34

OK, Jamie, anything you'd like to add?

9:42

Thank you, Patrick and Commissioners Jamie Erbacher with WGM group.

9:48

Yes.

9:48

So the the reason that this request is being asked for is that they have been working on the West Point phases and trying to get the infrastructure that was associated with phase one all completed.

10:02

We did do a phasing plan, extension and modification for West Point, breaking that and also into smaller phases so that the infrastructure could be built in an incremental way, if you will.

10:15

And so now that Phase one infrastructure is complete in West Point, the applicant feels that they can focus on what will be Phase 3A of Circle H We did break this into the Phase 3A and Phase 3B based on the planned roads for that area.

10:37

So you will see that Phase 3A accesses off of Chinook and that Phase 3B will off be off of Spatter Works Drive and there is the intent to certainly meet that phasing deadline of 2027 for Phase 3A3B might be you know a little bit more challenging.

11:01

However, we do know that the there is the ability for to ask for additional extensions up until that 2037 date.

11:09

Understanding that of course there is a risk because that does have to be approved by you the commissioners.

11:15

But with that, I believe that Andrew Wigan is also online if you have anything additional that you want to add.

11:22

Andrew.

11:25

Yeah, can you guys hear me?

11:28

Yes, excellent.

11:30

Yeah.

11:31

So this is Andrew Wigan with Circle H Investments.

11:33

And Patrick did a great job of highlighting kind of the history of the subdivision.

11:38

And when we acquired the property in 2015.

11:43

Now from 2015 to 2024, we had sold, we've currently sold seven of the 10 developed a lots in phase one that we acquired with the chair sale in 2015.

11:56

Most recently, 4 lots have sold in Circle H Ranch phase one in the last two years.

12:03

So we're seeing a lot of increased demand in Circle H Ranch for these for these developed lots.

12:11

So with the increased demand we're looking at only having three developed lots left that we acquired in phase one of Circle H Ranch.

12:21

So that's the main driver to be looking to extend a Phase 3A in the in the coming months because we are going to be soon, we anticipate soon out of developed lots in phase one of Circle H Ranch and want to continue with building within the subdivision and providing this, this house, this level of house to the Missoula Market.

12:47

Thank you, Andrew, appreciate that.

12:49

Thank you.

12:49

Jamie, this is a public hearing.

12:52

Are there any public comments on this item from either folks in the room or online?

13:01

Any public comment?

13:04

OK, we will close the public hearing.

13:06

Josh, any questions for you?

13:09

No, I just wanted to say one thing to Jamie.

13:11

Not quite a question though.

13:13

So this is all great.

13:14

No problem.

13:14

So that it's kind of a slam dunk.

13:16

That's not controversial.

13:17

But according to be for yourself, Oh, it's so according to ritual, once a year development statistics will be trotted out for our community and someone will say it took Missoula County 42 years to get this subdivision done.

13:35

And if you're in the audience, I may say Jamie just forewarned that this this was not because Tim Worley was on fish tour, right?

13:46

Yes, thank you for that, Josh.

13:47

Jamie Ehrbacher, WGM, for the record, yes, no reason for extending the subdivision so long based on the county's perspective or anything of that nature, really.

14:00

It deals with building infrastructure and being able to do that in a way that is economically feasible for the developer.

14:08

So thank you.

14:10

No problem with that.

14:10

That's their business realities.

14:12

Thanks.

14:14

OK, excellent clarification.

14:16

A motion.

14:17

Yes, Sir.

14:17

OK.

14:18

I move to approve the Circle H Ranch subdivision phasing plan modification and extension, dividing the existing Phase three into sub phases Phase 3A and Phase 3B and extending the final platseum middle deadline for both phases to November 7th, 2027.

14:36

I'll second that.

14:37

Awesome.

14:37

Any further discussion on the motion seeing none, all in favor?

14:42

Aye, aye.

14:42

OK.

14:44

Thanks.

14:44

Thank you.

14:45

And thank you, Andrew for joining us out there.

14:49

Is there any other business to come before the Commission today?

14:52

Seeing none, we will be adjourned.