

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, MARCH 13, 2025 – 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 Juanita Vero
Commissioner David Strohmaier
Commissioner Josh Slotnick

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office
Tim Worley, Senior Planner, Planning, Development, and Sustainability
Patrick Swart, Planner, Planning, Development, Sustainability
Jennie Dixon, Planner, Planning, Development, Sustainability
Katy Reeder, Planner, Planning, Development, Sustainability
Matt Heimel, Planner, Planning, Development, Sustainability
Michelle Denman, Financial Deputy Director, Finance
Mika Grimmert, Budget Analyst, Finance
John Hart, Lead Civil County Attorney, County Attorneys' Office
Christina Dewar, Administrative Assistant, Commissioners' Office
Annie Cathey, Lead Administrative Assistant
Mattie Scott, Administrative Assistant, Commissioners' Office
Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office
Carey Powers, Communications Coordinator, Communications
Allison Franz, Manager, Communications
Chris Lounsbury, Chief Administrative Officer, Missoula County

1. **CALL TO ORDER** *[Time stamp – 0:02]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:07]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:15]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the
Salish and Kalispel people.

4. PUBLIC ANNOUNCEMENTS *[Time stamp – 0:24]*

- a. Closed Captioning
- b. Proclamation: March for Meals
- c. Proclamation: Women's History Month

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA *[Time stamp – 6:29]*

6. CURRENT CLAIMS LIST *[Time stamp – 06:58]*

Claims received as of February 05, 2025 to March 03, 2025 by the Commissioners' Office total \$5,664,602.55.

7. HEARINGS

a. Slotnick Family Transfer *[Time stamp – 07:28]*

Jennie Dixon, Planner, Planning, Development, and Sustainability

Josh Slotnick was not present in the meeting until after the vote was finalized.

Commissioner Strohmaier made the motion that Missoula Board of Commissioners approve the Slotnick Family utilize the family transfer exemption to create and transfer a one-acre tract their son.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-040 sent to Josh Slotnick and Kimberly Murchison.]

b. Blackfoot Crossing (formerly West Bonner Log Yard Subdivision) Amendment

[Time stamp – 17:22]

Jenny Dixon, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve motions 1-7 and 9 as recommended and presented by staff and deny #8.

Commissioner Strohmaier seconded.

[Motion Passed 3-0.]

[Letter 2025-039 was sent to WGM Group, Inc. in c/o Jamie Erbacher.]

c. Resolution- Waldo R. Zoning Amendment

[Time stamp – 40:35]

Matt HeimeI, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the resolution of intent to amend the zoning condition for the property at 9772 Waldo Rd.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Resolution 2025-041 Book:1110 Page:437]

d. Placid View Lot Minor Subdivision

[Time stamp – 1:12:24]

Patrick Swart, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the request to vary from the through lot provision in Section 3.3.2.4 of the Missoula County Subdivision Regulations and to remove the agricultural covenant on tract A1 based on the findings of fact in the staff report and subject of the recommended conditions of approval.

Commissioner Strohmaier seconded.

[Motion Passed 3-0.]

[Letter 2025-048 sent to David and Karen Castle]

e. One Mile Ranch Estates Subdivision

[Time stamp – 1:49:36]

Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners approve the One Mile Estates Minor Subdivision based on the findings of fact in the staff report and subject of the recommended conditions of approval.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Letter 2025-049 sent to IMEG in c/o Tamara Ross]

f. Resolution- FY24 Year-End Budget Amendments

[Time stamp – 2:08:55]

Mika Grimmert, Budget Analyst, Finance

Michelle Denman, Deputy Financial Services Director, Finance

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners to approve the resolution for FY24 Year-End Budget Amendments.

Commissioner Strohmaier seconded.

[Motion Passed 3-0.]

[Resolution 2025-021 Book:110 Page:438]

g. Resolution- FY25 New Requests Budget Amendments

[Time stamp – 2:14:21]

Mika Grimmert, Budget Analyst, Finance

Michelle Denman, Deputy Financial Services Director, Finance

Commissioner Strohmaier made the motion that the Missoula Board of County Commissioners to approve the resolution for FY25 New Requests Budget Amendments.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Resolution 2025-023 Book:1110 Page:439]

h. Resolution- FY25 Mid-Year Budget Amendments

[Time stamp – 2:15:17]

Mika Grimmert, Budget Analyst, Finance

Michelle Denman, Deputy Financial Services Director, Finance

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners to approve the resolution for FY25 Mid-Year Budget Amendments.

Commissioner Strohmaier seconded.

[Motion Passed 3-0.]

[Resolution 2025-022 Book:1110 Page:440]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Vero – Called the meeting to adjourn at 4:17 p.m.

BCC Public Meeting March 13, 2025 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

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

Flag of the United States of America and to the Republic for which it stands.

0:07

One nation under God, indivisible, with liberty and justice for all.

0:15

Missoula County acknowledges that this event takes place in the traditional aboriginal territories of the Salish and Klice Bay people.

0:24

We have three public announcements.

0:28

We'll begin with closed captioning.

0:38

Hello everyone.

0:39

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

0:45

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

0:51

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

0:58

We ask that all speakers today speak slowly and clearly.

1:00

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

1:05

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

1:11

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

1:14

If you are calling in on the phone, you'll need to hit *5 to raise your hand.

1:18

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

1:21

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

1:24

Thank you.

1:26

Thanks, one.

1:27

Thanks, Cheryl, we have a couple proclamations.

1:30

Who would like to.

1:31

You do 1.

1:32

You want to do that?

1:37

Sure.

1:37

All right.

1:37

I'll do Meals on Wheels.

1:38

OK, You are OK WHEREAS, the Meals on Wheels program at Missoula Aging Services is a valuable resource to older adults in Missoula County.

1:55

And WHEREAS, in 2024, more than 120 Meals on Wheels volunteer drivers delivered 123,237 meals to 691 homebound individuals and Community lunch sites served 31,833 meals to 990 clients in Missoula County.

2:16

And WHEREAS volunteer drivers for Meals on Wheels are the backbone of this program through their dedication to bring not only hot, nutritious meals to clients, but also caring concern and attention to their welfare.

2:28

And WHEREAS Missoula Aging Services counts on these volunteers and the support of the community to serve the growing numbers of older residents who need this service to remain in their homes.

2:39

And whereas we wish to raise awareness and support for Meals on Wheels in Missoula and the surrounding areas now, THEREFORE, we, the Missoula Board of County Commissioners and the Mayor of the City of Missoula do hereby proclaim the month of March 2025 as March for Meals Month in Missoula, Mt and invite residents to thank the caring volunteer drivers, recognize the value of this service to homebound elders and adults with disabilities, and encourage residents to volunteer as Meals on Wheels drivers so elders may remain in their homes.

3:12

Signed Andrea Davis Mayer and Dave, one of myself, Missoula County Commissioners.

3:17

Thank you.

3:18

Is there anyone here from Missoula Agent Services or Meals on Wheels who'd like to speak to this or anyone online?

3:31

OK, we don't see anyone.

3:32

Commissioner Strohmeier.

3:34

OK and Meals on Wheels is a great service.

3:38

We've had the chance to do ride along, so I would encourage us to support their efforts.

3:44

So, second proclamation, whereas American women of every race, class, and ethnic background have made historic contributions to the growth and strength of the United States and countless recorded and unrecorded ways.

3:59

And whereas American women have played and continue to play critical economic, cultural, and societal roles in every sphere of life of the United States, constituting a significant portion of the labor force both inside and outside the home.

4:14

And whereas American women continue to perform the majority of uncompensated domestic work.

4:20

And whereas American women have played a unique role throughout history by providing the majority of a nation's volunteer labor force.

4:28

And whereas American women were instrumental in establishing early charitable, philanthropic, and cultural institutions in the United States.

4:37

And WHEREAS American women of every race, class, and ethnic background have been at the forefront of every major progressive social change movement.

4:46

And whereas American women have courageously served our country in the military.

4:51

And WHEREAS, American women have been leaders not only in securing their own rights to suffrage and equal opportunity, but also in the abolitionist, emancipation, industrial, labor, civil rights, and peace movements, all of which have contributed to a more fair and just society for all.

5:10

And WHEREAS Missoula's own Jeannette Rankin was the first woman elected to the United States Congress.

5:16

And WHEREAS, Missoula County made history in 1985 as the first county in the nation to elect an all female Commission with Barbara Evans and Mary Duso and Janet Stevens serving on the board.

5:30

And WHEREAS, despite these many contributions, the role of American women in history has been consistently overlooked, undervalued, and omitted from literature, teaching, and the study of American history.

5:42

NOW, THEREFORE, we, the Missoula Board of County Commissioners, and Andrea Davis, Mayor of the City of Missoula, do hereby recognize the month of March 2025 as Women Women's History Month and invite all residents to observe and celebrate through programs, ceremonies and activities throughout the month of March and to visit womenshistorymonth.gov and Montana Women's history.org to learn more about the vital contributions of women to our country and state's history.

6:13

Dated this 13th day of March, 2025 by the Mayor of Missoula, Andrea Davis, and your Missoula County Commissioners.

6:20

Thank you.

6:21

Is there anyone here to have any additional comments?

6:27

OK, Don't see anyone online.

6:29

We'll is there any public comment on items not in the agenda?

6:36

Excuse me.

6:36

I do have a comment on.

6:38

Go ahead.

6:39

So for those who know me, at least know my last name.

6:42

You may see that my family has a family transfer hearing coming up.

6:46

So I'm going to leave this meeting, step out into the hallway and then come back when that's done.

6:51

Thanks.

6:52

Thank you.

6:54

Is there any other public comment on items not on the agenda?

6:58

OK, our current claims list, excuse me, as of February 5th.

7:04

OK, we'll give you a text when we're done to March 3rd, 2025 by the Commissioner's Office.

7:10

Total of \$5,664,602.55.

7:16

We have 2468 hearings today.

7:19

We're going to move item H up to after D OK, so anything else?

7:28

We'll begin with the first slot neck family transfer with Johnny Dixon.

7:48

Well, hopefully this is not a bad omen, but I do have my slideshow expanded and it seems to be a slow connection, so we'll I'll try to make it through.

8:03

So good afternoon Commissioners, members of the public.

8:07

This is a request for a family transfer subdivision exemption at 3507 S 7th St.

8:15

W Murchison Slotnick, owners of the property.

8:20

My name is Jenny Dixon, I work for the county Planning department and I'm here to present briefly present this request for division of property.

8:30

As you can see located West of Tower St.

8:33

on the South side of 7th St.

8:35

approximately 3 acres with residential lots in the surrounding area.

8:44

This is a closer view of the property, approximately 3 acres and currently there's a single dwelling and agricultural activity as you is plainly visible on this photo.

8:59

And no OK.

9:15

And I'm not using Wi-Fi actually and wanted to try to make sure this went quickly.

9:23

If we've had problems, well, it's on my hotspot, but maybe I'll try Wi-Fi.

9:28

I've just not because all I can do is see here Wi-Fi would be slower than this.

9:54

I just don't know why this.

10:17

Oh, do, do, should we go to B, go to the next agenda item while you figure out on the next agenda item, right.

10:29

Yeah.

10:29

So on SharePoint using my, I do have it on SharePoint.

10:39

I just so it's on Wi-Fi now.

10:41

Let's see if we can.

10:43

Yeah, there we go.

10:44

That's that's the the piece you were yes.

10:48

So again my apologies.

10:50

I am trying to I know you guys have tons of meeting or hearings today.

10:55

OK, so driveway access for this property is directly on to S 7th and the property has individual well and septic system.

11:08

The property is zoned R RS1, which is a residential District 1 dwelling per acre, generally speaking, and that's often limited by sanitation.

11:21

The existing conditions are shown on the left with, as you can see, the driveway access the the home and the outbuildings, the agricultural on the South end.

11:30

The red line on the the image to the right is how the applicant proposes to divide the property, one acre to be gifted to adult son Quinn, two acres to remain in ownership of the own property owners.

11:45

I I believe Eli and associates and Murchison is here.

11:51

Yes.

11:52

Are you OK If you want to come to the podium, I just need to ask you a couple questions that we typically ask for family transfers.

12:01

And I would mention that I know you've this property's been in your ownership for over for 25 years approximately.

12:12

So some of these may seem like what why are you asking me that?

12:16

Did you buy the property with the intent of dividing it?

12:19

Well, actually, I think the the microphone isn't on.

12:24

Got to hit the button at the base.

12:26

There we go.

12:27

Right.

12:29

OK, We didn't.

12:30

You did not.

12:31

Did you or your or do your transfers intend to transfer the property within the next year?

12:39

Yes.

12:40

To someone other than.

12:41

Oh, no.

12:43

No.

12:43

OK.

12:45

Have you have you talked to anyone at the county about going through subdivision review?

12:49

No.

12:51

Will the property that's being transferred be developed?

12:56

No.

12:56

Just with the one house?

12:58

With the house.

12:59

Does the recipient, does your son Quinn, intend to reside on the property?

13:03

Yes.

13:04

OK.

13:04

Thank you.

13:05

I appreciate it.

13:05

Yeah, staff evaluated the evasion criteria for this proposal.

13:13

You you may be seated.

13:14

Thank you.

13:14

Sorry.

13:16

And none of the evasion criteria were flagged with the exception of one possible indicator of evasion, which is transferring, doing a quitclaim deed and then trans.

13:30

You know, a recent quitclaim deed which did occur within the last year, which was to the family trust likely for estate planning purposes.

13:41

And upon realizing that trusts cannot grant family transfers, my assumption is there that that was then transferred back into individual ownership.

13:53

And so we we found, given the context of the request, that that was not an indication of evasion in the situation.

14:00

And we are recommending approval of this family transfer with the recommended motion on the screen.

14:07

Thank you.

14:10

Well, Kim or anyone from Eli have anything to add?

14:16

Yeah.

14:16

Come on up.

14:20

So, OK, if I just read this, that's great.

14:23

OK.

14:23

So we hope to divide our land because our son Quinn and his family want to return to Missoula from Anchorage, AK, where they're currently living.

14:31

I'm sorry, can you get really close to the microphone?

14:33

Sorry.

14:34

They have two boys, A1 and a 2 1/2 year old.

14:39

Quinn was born in Missoula, graduated from Hellgate High School.

14:44

Quinn and our two daughters grew up in our house on our farm, on the land that we're talking about.

14:49

After college and sometime in the in Seattle, Quinn came back to Missoula, taught school and he and his wife had their first son here.

14:59

So we're really lucky that Quinn and his wife want to return to Missoula to raise their kids.

15:07

Quinn's in Graduate School now, and soon we'll be a counselor.

15:11

His wife is a nurse.

15:14

So there was a time when people with careers like these could easily buy a house.

15:19

But that's seeming pretty difficult now when the price of homes outside their financial reach.

15:24

Giving Quinn a slice of our land is the way we feel like we can help him move back to Missoula and own a house.

15:33

And if this happens, then I get to have Quinn and his kids, like, running around the farm and catching chickens and picking strawberries and vegetables with me.

15:42

I would like nothing more than that.

15:44

So thank you for considering this.

15:46

Thank you.

15:48

So anyone from Eli.

15:54

OK.

15:54

Hi Brian, Kale, Brown, Eli and Associates.

15:58

I don't have anything to add, but thank you for your time today.

16:02

Thank you.

16:08

Thank you.

16:08

Is there any public comment on this family transfer?

16:14

OK, OK.

16:17

This seems pretty straightforward and in line with the other family transfers that we have approved in the past.

16:24

So I would move to approve the request by Joshua Slotnick and Kimberly Murchison to utilize the Family Transfer Exemption to create and transfer minimum one acre tract to their son, Quinn Slotnick Murchison on property located at 35 O 7 S 7th St.

16:37

W, legally described as Dinsmore Orchard homes #5.

16:42

A portion of Lot 68 is recorded in Book 1108.

16:46

Micro page 1226 is presented in the Exemption Application and Affidavit.

16:52

Second, is there any further discussion or public comment?

16:57

OK, All in favor, Aye.

17:01

Thanks, Kim.

17:02

Thank you, Kim.

17:05

OK.

17:08

Oh, thank you so much.

17:12

Jenny has the next one too, the Blackfoot Crossing.

17:32

Thanks you.

17:40

Did you want to introduce it or do you?

17:42

Oh, sorry, no, go ahead, go ahead, all yours.

17:44

OK, so this hearing is for West Bonner Law Yard subdivision that was approved several years ago for a phasing plan amendment, phasing plan, extension plat adjustment and condition revision.

17:59

I'm going to probably go pretty quick through these slides.

18:04

The property is located in the West Riverside area.

18:08

It's a little hard to see because there's a lot going on, but it's the outline black and green outline area near the the interchange I-90 interchange with the town Bonner town pump, 1st St.

18:20

W Riverside, kind of oops the old mill site there across the river.

18:28

So this property is bounded on the South by the river.

18:31

The mountain is on the West and then residential to the north and town pump to the to the sorry town pump to the West.

18:39

Property is zoned industrial with a combination of light industrial along with the residential bordering area and then heavy industrial on the rest of the property and then also some AGW agricultural working lands on the East End.

18:58

This is the plat of the approved subdivision W Bonner log yard from 2023.

19:03

You can see it's approximately 28 lots and in two phases.

19:07

I'll show you the phase, a clear phasing plan.

19:10

It was originally proposed by Flying colours a prior owner and the property has since sold and the new owner has is making these requests because they have a different development concept for the property than flying colors.

19:28

Flying colors original owner will retain ownership of what is up here.

19:34

Can see with my cursor in the kind of the upper northwest corner lots 2 and 3, which is the site of that old Harris Thermal building.

19:45

I think it's had an A couple of uses since then.

19:47

So that's part of the subdivision but not in Blackfoot Crossings ownership.

19:56

The address at 8129 Cowboy Trail shown here on an air photo and some of the things that become evident are the Cowboy Trail Rd.

20:06

the the forested sloped area over here on the east side.

20:11

A utility in holding the.

20:15

Riverfront, which is on the plat is common area and there's a proposed trail easement through there, the Anaconda St.

20:25

which connects to the bridge crossing the river.

20:27

And then it of course, the, the existing structure on the property, an industrial building site is approximately 116 acres.

20:36

And the original phasing plan looks like this two phases over a couple of years.

20:44

And I'll show you that timetable here in just a minute.

20:47

The new phasing plan proposes 3 phases instead of two.

20:53

The first phase, just six industrial lots.

20:57

And then phase two would include the Harris Thermo building plus a few others around it.

21:02

And then the Far East property, which was that sloped area and AGW 40.

21:07

And then the interior middle area would be the third phase.

21:12

The original time frames were phase one was going to be filed by December 2026, phase two, December 2029.

21:20

They're proposing to move phase one to December 2029 and then the next two phases to December 2032.

21:32

I would mention before I move on to the plat adjustments, the staff is recommending approval of both of the phasing plan adjustment amendment here as shown and the new timelines meets state law, meets our regulations.

21:45

They've addressed all the issues that we have identified that are required to be well are required to be addressed to make sure that each each phase functions as an individual independent functioning plat.

22:02

So the plat adjustments there are several of them include common areas combining lots, revising easements for utilities, the steep slope, no build designation on the East End, a no build or no no build no alteration berm protection zone and the pedestrian walkway on Anaconda St.

22:24

The.

22:25

I thought that this was a good way for you to see how the common areas are going to change with the new phasing.

22:33

Whereas the original had common area one along the river, common area 2 along the the north property adjacent to residential.

22:42

They are simply breaking, oops, breaking that up.

22:48

Same amount of land, same location of land, same quality type.

22:53

Just breaking it up with the phases now so that there are 5 common areas that come along with each of the phases respect respectively.

23:04

Keeping in mind that this was and is currently a an industrial subdivision and it has no common area dedication requirement.

23:12

This was part of the proposal.

23:17

The other plat adjustments have to do with easements and I'm not going to go into detail on this, but the top one is the current approved easements for utilities and the lower one shows how they would change their easements.

23:31

Essentially up here you can see drain field easements that are going to be consolidated and water line easements that will be removed and and there's just a lot of shifting going on because of changes in their sewer and water plans, all subject to DEQ review and approval and no adverse agency comment at the local level.

23:54

So I'll take you to the next change, which let's see what was the next one.

24:02

I believe it was, yes, a steep slope.

24:06

So as I mentioned, the eastern lot, steep slopes over 25% were designated on the plat as no build.

24:18

That was how we typically dealt with slopes and in subdivisions prior to the new zoning which was adopted in 2022 with the with plots that come in now, we have zoning that deals with slopes over 25% through a geotech analysis and in some cases needs to go to the Board of adjustment.

24:37

The applicant is requesting to be subject to the current rules rather than old rules and we are supporting that.

24:45

And then the last two plat adjustments, one has to do with berms and one has to do with pedestrian walkways.

24:51

This is the corner of 1st and W Riverside looking SE Essentially the the berms are at that intersection going at right angle to each other.

25:05

It's kind of hard to see because the landscaping is is so lush and so it's it was a little challenging to get photos to depict for you what the berms look like.

25:18

Again, it's it was like could had could had a hard time finding a photo.

25:23

You can see here looking S on 1st St.

25:26

and this is W Riverside across the street.

25:29

The berm behind the landscaping and then right above the stop sign, you can actually see the top of the Harris thermal the the industrial building.

25:39

So you can see how effective that berm is at buffering between the residential neighborhood and and the site.

25:47

This other picture on the right is looking the opposite direction, so looking N on 1st St.

25:52

So the berm is on the right side of the photo.

25:54

Again, landscaping is buffering that really well.

25:58

This might show you a little bit better.

26:01

The berm on the West side of what would be lot 1 is the area they have asked for it to be removed and we are recommending that it not that that request be denied.

26:13

And I'll keep that berm in in place allowing simply for at this at this point right here where Cowboy Trail will come in.

26:22

If any shifting or you know, modification of that berm for safety, Traffic Safety visibility purposes is is allowed.

26:34

And then they're also asking to remove the berm on the South side of lot 25.

26:40

Just going to show you real quick where it is, but this is, you can see what it looks like here.

26:45

It's got vegetation on top of it.

26:49

That photo was taken from this location where the star is looking this way.

26:54

So that berm runs along lot the South side of lot 25, which the berm along 26 and 27 are right here.

27:03

And that berm can go away.

27:05

So there's just a little bit of berm left and it's fronting onto Trail Highway commercial and we and was while offered by the applicant doesn't seem to be that functional and are recommending that that request be approved to remove that berm.

27:28

Finally, the last request is to delete the sidewalk shown here on the north side of Anaconda Street.

27:39

I'm actually going to go back to the photo just before 'cause that also shows you the location here on Anaconda Street, that north side.

27:47

We took a look at the context of the situation.

27:50

First of all, the sidewalk was not required.

27:53

It was again offered by the applicant at the time.

27:56

In 2022-2023.

27:59

There is already AI believe 8 foot wide streetcar trail that connects to the end of Anaconda and across the bridge and this is fronting onto 3 industrial lots, one of which is not buildable.

28:19

And so we recommended that the applicants request to delay and ultimately eliminate this request be approved.

28:29

So in the spirit of keeping your meeting running quickly and smoothly, I'm not going to read these, but these are the

way The conditions would need to be amended to accomplish what I just told you for a total of 33 conditions of approval on the newly named Blackfoot Crossing Subdivision.

28:52

For a motion, a set of motions which I'm sorry, will take a little bit of time to read through.

28:57

9 motions, all of which are to approve but for number 8, which is to deny the request to remove the berm on the West side of Lot 1.

29:08

But all emotions are to approve their requests except for number 8.

29:16

And with that, I will conclude my presentation.

29:18

Thank you.

29:22

Jenny.

29:22

Do you have Jenny?

29:26

But I'm just happy I just had a blank.

29:28

I'm staring at you.

29:30

No, not Paul.

29:31

Jamie.

29:31

Jamie.

29:32

My gosh, that was very odd.

29:35

Do you have anything to add?

29:37

And my mic is off, Sorry about that.

29:45

Yes, thank you.

29:45

Commissioners Jamie Erbacher with WGM Group appreciate all the time that Jenny has taken.

29:51

I know it seems like a lot of requests that were presented here today, but in the grand scheme of things, they are fairly minor.

30:00

We did hold a public meeting, neighborhood meeting in February and the berm on lot one that we had originally requested to remove.

30:10

The neighbors really voiced their concerns about that.

30:13

They they like this visual barrier that the berm does provide.

30:17

And so in the interest of the neighborhood, we are acceptable to keeping that berm with the minor modifications just in case we need to remove some of that berm for site visibility to get in and out of the site.

30:28

So with that, thank you for again the thorough staff report and we are amenable to the conditions as presented.

30:40

And then I will be available for any questions.

30:43

But I would like to also introduce Gregory Morris, who is the Managing Partner for Blackfoot Crossing LLC.

30:50

Thanks, Jimmy.

30:52

Hi, I'll keep this brief because I know you've got a long list, but my name is Greg Morris.

30:56

I am the Managing Partner at Blackfoot Crossing.

30:58

I am a Montana resident.

30:59

I apologize.

31:00

I'm from Bozeman though, but I am also a business owner in Missoula and I'm also a housing nonprofit board member in Montana, in Bozeman.

31:12

I'm the treasurer of Family Promise of Gowden Valley.

31:14

And I first thing I want to say really quickly is to thank everybody at at Missoula County for partnering with us on this development.

31:22

I've done these projects in other places and I've had a chance to see things work well and not so well.

31:27

And I'm really impressed with the the whole Missoula County team.

31:31

Jenny has been instrumental in getting us to the stage.

31:33

It's a lot of modifications for what seems like not a huge change, but that's the way it goes.

31:38

So thank you for her work.

31:40

Andrew Hagemeyer and Flannah McLarty on the Ted and working to get that going, which will hopefully be in front of the Commission at a point in the future.

31:48

Chuck Krauser and Randy Arnold on trails and lands, Cindy Kennedy on Browns fields and Grants, and then also the beginning of the process with Ian Varley and Kathleen Arthur on zoning and long range planning.

32:00

This is the beginning of a of a sizable project that I'll be spending the good chunk of the next 10 years probably on.

32:07

I'm excited to partner with Missoula County and the whole team on this.

32:12

I have a vision for this property, which you may have seen in a newspaper article or two a couple weeks ago after we had our committee meeting.

32:20

My goal in this development is to #1 be a good neighbor.

32:24

Number two, help with jobs and revenue in Missoula County.

32:29

We do have an attainable housing goal with this project at a point in the future, should that be approved.

32:35

I am a public lands user myself and so we have gone out of the way to make sure that we are making public lands available through this project.

32:45

We're looking and trying to partner with FWP, the BLM to try to even potentially continue a trail up the Blackfoot River, which continues starts in our property.

32:54

And finally, sustainability and respect for environment is also something that weighs very heavily upon me.

33:00

And I look at that in any type of development that we do.

33:02

So that's all I have to say.

33:04

It's mostly thanks and and then an echo of of what could be in the future.

33:08

So thank you for your time and and thank you for the time of the team.

33:10

You really appreciate it.

33:12

Thank you, Gregory.

33:13

Thank you.

33:16

Is any public comment, Commissioners Paul Finley with Missouri Fire District, as you're aware there are many negative implications revenue wise to the fire district as a result of Ted's.

33:33

And just curious, I hope I know the answer to this question, but is there a change in the requested base year, day, base year of this particular Ted involved in any of the amendments?

33:47

Can you ask that question again?

33:48

Is there a change in the base year, base year, yes, for the Ted?

33:53

No, no, no.

33:55

OK, thank you.

34:08

So good afternoon, commissioners.

34:09

I'm Gary Matson, I live in W Riverside and I'm here just to express my appreciation for the developer, Greg Morrison, what he's done to integrate his plans and collaborate with the community.

34:22

He's addressed concerns that people are brought up and, and just engaged and answered questions and, and taking care of things as they go along.

34:29

And I, I believe he is very sincere in his goal to create an asset for our community.

34:36

And so my, my only real concern is just the amount of groundwater that we have out there.

34:43

And as the river levels may in the future decline, I think there's it's a good thing to do to pay attention to monitor that groundwater level at some point.

34:55

And the prior developer working with WGMI think had that agreed that that was a good thing to do monitor the groundwater.

35:05

So all of us share that and that community and I don't know how many wells we have out there, but a lot.

35:11

So but we're really excited about this development and what he, what Greg is bringing to our community.

35:16

And so thank you guys for what you're doing and thanks to him for doing what he's doing.

35:23

Thank you.

35:24

Gary, see a hand up online, but is there anyone else in the room would like to comment on this?

35:35

Not seeing any.

35:36

We'll move to online.

35:39

And Cheryl, I can't tell who that is or what phone number ending in 1829.

35:46

Yes, this is Keith Coppervika.

35:47

Thanks for taking my comments.

35:49

Commissioners, I've lived in the Bonner Milltown area for about 17 years.

35:55

The one thing, the one thing that I've noticed is the increase in traffic out here due to more tourism, more residences, the, the resurgence of the Bonner Mill site.

36:11

And I'm, I'm not, I, I didn't have an opportunity to attend the presentation on this, but there was a Missoulain story written by David Erickson on February 7th that talked about this request.

36:25

And in the story, Mr.

36:27

Erickson wrote that the developer, Gregory Morris, wants to eventually add hundreds of housing units on the portion of the property, which I think is great.

36:36

We need housing.

36:38

But the story says, and I quote Morse said, that eventually he would work with the community members and the county on designing the roads and mitigating traffic effects of the housing development if it is approved.

36:55

And I think that's getting the cart before the horse, if you will.

37:02

I would ask that you get a commitment from the developer and maybe some plans to mitigate the traffic effects prior to approving these requests.

37:18

As I said, I'm not opposed to the housing development, but I am opposed to approving a zoning change until the developer presents and commits to the plan to mitigate the effects of the hundreds of board vehicles.

37:33

Thank you very much.

37:35

Thank you, Keith and Greg, come on up.

37:38

Oh, sorry, sorry.

37:40

That was actually really good feedback.

37:42

And, and to be honest with you, I'm really happy to say that we've already addressed it in talking with Ian and the forward planning division.

37:50

As we look forward to the later phases of this project, as we're doing our zoning change, we're going to be preparing both an updated traffic impact study as well as a infrastructure plan for the the project, which would talk about things like water, to Gary's point, as well as storm, fire water to the Fire Chief, Paul, and also storm, not storm water, but sewage, which are all kind of critical components out in this area because there are none of those resources at this time.

38:29

And so that is something that we are already proactively addressing.

38:31

And yes, the order will change.

38:34

Those will all occur before we submit the zoning change.

38:37

Thank you.

38:39

Thanks.

38:40

So I just wanted to respond to Mr.

38:42

Coppervika.

38:42

The question before us today is about a phasing plan extension, not about a zoning change.

38:46

So the cart is not actually before the horse.

38:48

The cart and the horse are in the correct order.

38:50

We're going to do the phasing plan extension and later the developers will come to us with a zoning for his proposal for a zoning change at which point we'll talk all about the traffic.

39:01

But right now we're in order as it should be.

39:05

Regardless, thanks for your comments and appreciate the context.

39:11
Thanks.

39:11
Any other comments?

39:16
OK, we're going.

39:17
I don't see anything else online.

39:18
We'll close public comment commissioners.

39:20
I'm I'm happy to do this given I had a 5 minute break.

39:24
Carry that heavyweight here.

39:27
I also mentioned just to streamline this even further, if you want, if you're confident that you would approve all of the motions as recommended, you could do move to approve motions one through 7 and 9 and then move to deny motion 8.

39:45
John Hart, does that work?

39:49
I think that works because it'll you'll be referencing a document that's in the public record in the meeting packet.

39:56
But Commissioner Slotnick, if you feel like I don't need everybody, no thanks.

40:02
I already did.

40:03

I did my big read.

40:04

So I would move to approve the motions as recommended, one through 7 and 9, and to deny #8 second, any further discussion.

40:15

All in favor, aye?

40:18

Thank you.

40:19

Yeah, big thank you, Jenny, for a ton of work.

40:21

Thank you.

40:22

And thank you, Sir, for coming.

40:24

Thanks, Jamie.

40:26

Thank you.

40:33

OK.

40:35

Waldo Rd.

40:36

Matt Heimel.

40:57

All right, good afternoon.

40:59

I for the record, I'm Matt Heimel, Planner and Floodplain Administrator with Missoula County Planning, Development and Sustainability.

41:07

I'll try to share my screen on Teams and then pull up the PowerPoint.

41:10

Let's see if I can.

41:28

OK.

41:30

So before I dive into the details, I think I'll share a little bit about the process that we're in right now.

41:35

So what we're talking about is an amendment to a zoning condition for a specific piece of property in Missoula County.

41:43

And procedurally this falls under a rezoning.

41:46

Even though the zoning district itself will remain the same, we're talking about a special condition tied to that zoning.

41:53

This is an unusual item to see.

41:56

We don't have many zoning conditions that we add that we have in our zoning.

42:04

However, we do have a few in the county identified as legacy districts and this is the second of three public meetings in this process.

42:15

The Consolidated Planning Board met on January 21st to make a recommendation which I will go over soon today.

42:23

The item for consideration specifically is a resolution of intent to amend the zoning condition and then we will schedule a final resolution on this item after 1/3 after a 30 day public comment period if this item is approved to today.

42:44

So the specific property is address is 9772 Waldo Rd.

42:49

It is lot 1 of the Den Biker subdivision.

42:51

It's about 10 acres minus some MDT right of way.

42:56

It is at the northwest corner of Waldo road and Hwy.

42:59

93 in the Y.

43:02

Here's a closer aerial image showing the lot is vacant.

43:07

Other prop, other uses to the West we have well the West, north and east are some either vacant or low density rural residential in AG and then some higher density sub suburban residential to to the South.

43:27

No mention of zoning will be complete without talking about the growth policy.

43:31

So the applicable growth policy here is the 2019 Missoula County growth policy as amended by the 2019 Missoula area land use element.

43:41

The land use element has a commercial center land use designation for this property.

43:48

The request, the rezoning process is technically compliant with the growth policy just because we're not actually changing the base zoning which is commercial here, which implements the land use and the growth pop policy.

44:05

And the growth policy does also call for identification and mitigation of hazards.

44:13

So having a condition in in place does align with with the growth policy in in that sense.

44:19

And I'll talk about the specific hazard and condition that we're dealing with apparently right now.

44:24

So current zoning is commercial center and as I said, there is a special condition to mitigate sheep, sheep flood hazards might actually back up a moment, go back to the property.

44:38

So I just mentioned it's in that commercial center zone.

44:42

Now in 2019, this area was on zone.

44:46

There was a request to connect to city sewer.

44:49

As a condition of that connection, the property owner had to apply to the county for zoning.

44:55

And at that time through the public process, we had eight agency comments that identified sheet flow risk, namely in the spring of 2019, there was a severe rain on snow event and that led to the imposition of this condition that we have here.

45:11

So there's a requirement for any deep development that the construction of basements is prohibited and the lowest floor in all utilities including ductwork shall be constructed a minimum of two feet above highest adjacent grade, which reflects how we would treat a a sheet flow hazard otherwise through a floodplain, which this is not in a designated floodplain.

45:34

Here's a picture of some of the flooding in the area that that spring.

45:37

This is actually further down Waldo Rd.

45:40

This photograph is taken standing on George Kate's Blvd.

45:43

which is to the West.

45:46

Also I have other photos and I think of video and file which might play.

45:51

I hope if if we want to go over that we do OK.

46:02

Should I pull that up now?

46:03

Sure.

46:06

Yeah, let's.

46:06

OK, let's last try.

46:29

So this is I believe from the intersection Highway 93 and Walder Rd.

46:33

showing a washout from MBT culvert.

46:37

I'm sorry, what year is this?

46:38

This was in the spring of 2019, specifically April 1st, 2019.

46:45

There's no joke.

46:50

Thank you.

46:50

Yes, I'm glad it worked.

46:56

So excuse me.

46:58

So we had that sheet flow drainage issue in 2019 leading to this condition on on the zoning.

47:07

In the years since the applicant owner and their consultant have engaged with the county on trying to explore can that condition be amended in any way for other kinds of development.

47:21

So the applicant hired new fields to prepare a hydrological study which is in file.

47:28

And essentially what the the the goal of that was to try to quantify a peak flow rate that we would actually be dealing with.

47:36

We didn't actually have a study metric of the volume of flood water that would be on the property at that time.

47:42

So one of the first steps to even approach a rezoning or a zoning amendment was to actually come up with to have a study to then describe what sort of flood events so that we know those peak flow rates.

47:59

As part of that analysis, the the engineer identified a drainage area that was about 1565 acres, 88 of which have deep developed area.

48:17

So and there were two scenarios that were evaluated in this.

48:21

So scenario 1 was also referred to as a base case.

48:25

That would be the standard kind of design storm that any development we need to go through at A at a base level pursuant to DEQ stormwater standards and that was a 100 year 24 hour non winter event.

48:40

The second scenario was more contextualized to what we're looking at as the specific hazard and that was a 100 year, 24 hour rain, rain on frozen ground storm eve event.

48:51

So part of the issue in that spring of course was that we had a high volume of rainwater on a high volume of snowpack and and frozen ground that led to an increased volume of of water on the on the property.

49:05

There were some results from that analysis.

49:08

I will add that we did receive the model files.

49:11

We did request technical assistance from the DNRC to at least verify that the model was technically reasonable and it was deemed as such after some minor clarifications through that process.

49:25

So scenario one, the base case, the default stormwater review found a peak discharge of 96 cubic feet per per second.

49:35

That would be the volume of water entering the property at its SE edge through through a culvert that collects that entire drainage area that I mentioned.

49:44

Scenario, scenario 2, the 100 year rain event during frozen ground conditions had a peak discharge of 111 cubic feet per second, that's about 16% higher.

49:55

So again, the rain on frozen ground storm event that we're concerned with it about has a 16% higher volume of water to the property.

50:09

So the application we have, the primary request was to remove the condition of zoning and defer to that base case for any kind of future stormwater method.

50:21

Without a stormwater mitigation plan to demonstrate that there would be no adverse impacts, no inundation of structures and no subsurface inundation.

50:31

Staff was not supportive of the request to just remove that.

50:37

To support a removal.

50:38

We we, we would need a plan that the Albicon contended was not to be made at that time because there is no actual specific development proposal and at this time.

50:47

So, so we are recommending a modification to the zoning.

50:53

So the Missoula County zoning regulations do permit the county to have a reasonable modification to a rezoning request.

51:05

So staff's recommendation is to amend the condition that is on the zoning now.

51:13

So essentially, and I'll go through this just to describe what we're saying.

51:18

So one of the construction of basements is prohibited because there is still concern about high, high groundwater and subsurface inundation.

51:28

And prior to zoning compliance permit approval, we will need a a plan to demonstrate that any crating drainage and stormwater improvements will be sufficient to prevent service and groundwater in in addition of of structures.

51:44

And the way that we will measure that is an analysis prepared by professional engineer that looks at that default stormwater on the property itself, that 100 year 24 hour that is administered by the Missoula County Public Works Manual, but also that off site basin to demonstrate how that rain on frozen ground storm will also be mitigated.

52:14

The last sentence here, the last phrase is also key.

52:17

We do have a little bit of flexibility built in because we say they have to use the that rain on frozen ground, the rain on snow model that we have on file or another technically reasonable method.

52:28

Because another engineer, another deep developer might come in and have a different method or different US scenario or or model to to show us.

52:38

And that would not require a second whole round of public meetings.

52:46

So this graphic just sort of illustrates again what we're talking about with how that review would happen if that amendment is approved.

52:57

So a key phrase in the top right corner, we have this simultaneous design storm events for deep development review.

53:04

So on the property itself, the engineer would need to show the standard county on site stormwater review and then we have this drainage basin conveying flow to the southeast corner of of the property without 111 CFS or that other model if it's reasonable that I mentioned.

53:26

Lastly to point out, we did have that Planning Board meeting on January 21st.

53:31

The board unanimously recommended, unanimously approved a motion to recommend approval.

53:38

The tongue twister in itself might have to rethink how I say that in the future.

53:42

The board discussion included clarifying the procedure for development review and responsibility for for long term maintenance.

53:49

But so by that I mean some of the discussion points centered on well, who will be responsible for stormwater maintenance or conveyance.

53:58

That's that that's built in and ultimately we don't have a plan right now to see that.

54:03

Typically a private stormwater plan is maintained privately, but it really depends on the kind of development that that we see and how that's put put in.

54:13

We did have two written comments expressing concern about flood risk and the and the need for some form of mitigation.

54:21

And also there were two participants in that public meeting who also described that flooding in 2019 and also expressed that there needs to be something done for any new construction.

54:35

But those commenters are not actually oppose growth or we're not in objection to this action.

54:46

So with that, I think that concludes my presentation and I know the applicant is present as well.

54:52

OK, come on up.

54:55

All right, Paul Forsting I make.

54:58

Thanks, Matt.

55:00

Let me start by saying that feels like a lot that feels pretty difficult stuff, pretty difficult stuff.

55:06

But I'm I'm confident we can work through it here today.

55:09

We worked with the planning department to over it took us a while, but we worked for over a year and where we are agreeable to where this has ended up.

55:18

We're agreeable with the conditions.

55:19

We're agreeable with the the not having basements.

55:23

We're agreeable to, to following the well basically what the condition says that we'll follow the new field study and, and go above and beyond the typical storm water requirements in the county that everybody else follows.

55:38

There's a typical standard storm water requirements, which we we honestly think would probably be fine.

55:44

But we've got this new field study that says we need to account for a rain on snow event, which is more elaborate and accounts for more, more of like what happened in 2019 here.

55:57

So we're completely agreeable to that and we were able to talk that through with the planning board.

56:01

So we're we're optimistic we can talk.

56:03

If they're with you today, I'd like to kind of point out that the condition that was that we currently have here to raise the site 2 feet above the highest adjacent grade.

56:14

That's a condition that you find in floodplain and usually it says 2 feet above the base flood elevation here.

56:20

I've never seen it say to the adjacent highest grade and I don't even know what that is, but you have to find the highest point and then raise it above that.

56:28

That's very problematic.

56:29

That's if the the owner, Taylor Tillman, has tried to work around that over the last few years since he's been required to have this condition.

56:38

He's had several interested parties come to him.

56:40

They've looked at that condition, they've tried to quantify or calculate what that fill would be.

56:45

And it's been in the order of over \$1,000,000 has been the the estimate.

56:49

You know, fill's expensive because the dirt isn't expensive, but moving it, bringing it in from somewhere is really expensive.

56:56

So that's why he came back to us and said, hey, is there anything else I can do here?

57:00

Because I'm not not finding anybody who wants to look at developing this site, even though we think it's a really high potential site for development.

57:07

MDT is looking at putting a traffic light in that location.

57:10

I don't know if you guys have heard about that.

57:12

I don't know how that's going.

57:13

And we've got a project across the road and I know they're looking for funding for that light.

57:16

And so that's a whole different story.

57:18

But the high potential here, there's been, you know, talks, maybe a supermarket or something on this site.

57:23

And I mean something really good commercial use can come out of this site.

57:27

And it's Taylor will probably tell you here today because he wants to get up after me with this condition.

57:32

You're really looking at a small building, small footprint, 10 acre site with something really small would currently work because then you wouldn't have to bring much fill in.

57:40

So we're we're again optimistic that we can remove the fill requirement, but satisfy the same intent of the condition where whereas we're not we're we're creating a safe situation here.

57:51

You know, we don't the the property under Taylor doesn't want to have a situation here with the future develop.

57:57

Whoever develops this site gets in a situation where the building floods or anybody else in the neighborhood floods.

58:02

And to that point, the grading and drainage plan, the well, First off, whoever develops this site, they're going to come in and they're going to grade the whole site specific to a plan that comes in.

58:12

They're going to, So the flooding that's occurring now on the, it's happening in the very southeast corner of the site because that's a low spot and that's where the flow's coming in.

58:21

Well, the, the whole site's going to be graded with a plan in mind using drainage, detention, pond swales.

58:28

And it's all going to be designed with knowing how much water comes on the site.

58:32

And it's, it's going to, it's going to have to retain and detain water so that 100% of the water that enters the site has to be retained on the site.

58:43

Factoring in 100 year stormwater event.

58:47

And my Co worker David Freeland's here, he's an engineer, he's sitting over there.

58:50

He can actually describe in detail what that means to you.

58:53

That's just probably as far as I can go with that type of conversation.

58:57

But the bigger picture there is you're not allowed to just develop your site and put up infrastructure, put up buildings and you create a situation where you're passing on the water to your neighbors, creating a flooding situation downstream.

59:11

And it more likely what would happen is we develop our site, we'll actually retain more water.

59:19

We'll actually, you know, right now it's just a field and water passes through the site and it keeps going to the other neighbors down, down the site.

59:26

And, you know, the picture Matt showed was actually downstream of ours.

59:29

And more likely after our sites developed, some of that water will be detained on our site and our detention facilities and create a more positive situation for the neighborhood.

59:37

And the last thing I'll add before I, I take a seat here and let Taylor get up and talk a little bit is that, you know, this the neighbors are, are concerned about their properties and for good reason.

59:50

And if this, this condition that we currently have about raising it 2 feet, doesn't it all help them at all?

59:56

It would just, you know, it would just put another layer of protection in theory on our, that we don't think we need for our to, to make sure it's safe, but it wouldn't help them at all.

1:00:05

It just raises our buildings up.

1:00:07

It doesn't prevent their site at all from, from potential flooding.

1:00:11

You know, it's, it's not any, it's not any type of protection that would help them.

1:00:16

It just, it just adds cost to our site.

1:00:18

And so it's not if if, if their concerns are about their site potentially flooding.

1:00:23

It's I think a bigger picture issue here with when the, it's my understanding what's happening here is when the the 93 was improved, it created a situation where water used to do some infiltrating on the other side of the just layman's terms that it's been described to me that I don't fully understand.

1:00:39

But it's my understanding when 93 was built up a few years back, improvements were made and actual water that used to infiltrate on the other side of 93 has actually been channelized and kind of funnels down through this corridor and it's actually created the problem.

1:00:54

And that's that.

1:00:55

That's what I've heard, but I don't have any reports or substantial.

1:00:58

All I have is a new field study that just shows the flow that comes through our site.

1:01:02

So with that, I'll let Taylor Tillman of TLK Properties get up and talk and thank you very much.

1:01:08

Thanks, Paul.

1:01:12

Oh, thanks, Paul, I appreciate that.

1:01:13

Taylor.

1:01:13

TLK Properties, I'm the T, my mom and sister are the L and the K I won't take up too much of your time.

1:01:21

Paul went through it pretty extensively.

1:01:23

The only thing I would like to add is in 2018, we already had Meadowlark storage approved for this property.

1:01:30

So that means all the conversation about engineering controls and the entire discussion has been addressed already and developments been approved by the planning Board and this board.

1:01:41

So we actually have stamped engineered plans that we could develop storage minus this condition.

1:01:48

And the most important thing about that is that means that we've already had WGM and Jeff Smith design the property and it's been engineered and everyone here has agreed that that was a very satisfactory way to do it.

1:02:02

We've owned the property.

1:02:02

This will be going on the 7th year.

1:02:04

I've seen water on it twice.

1:02:06

We own 10 acres.

1:02:06

It's on 1/4 of the acre.

1:02:08

So you can see how this might be a bit much of a bit overreach to encumber an entire property.

1:02:15

So one, it's already been engineered for one project.

1:02:17

So any potential development in the future, it's going to be engineered to the same spec and standard.

1:02:22

So this condition that the county's put forward is essentially just reiterating that, you know, and that'll be addressed in permitting.

1:02:29

There's zoning and permitting.

1:02:30

And if we conflate the two, that's why it gets messy and it was addressed in 2022, why we we separate those.

1:02:37

So yeah, one, it's already been approved for storage.

1:02:39

We've already designed and engineered.

1:02:40

There's a lot of work when that with WGM, we figured there was a higher and better use in storage.

1:02:47

We kind of got talked out of it by some of the neighbors and friends and Realtors and said this is a good spot.

1:02:54

We have commercial sewer right right against the property.

1:02:57

We now just got included in commercial water in the Waldo.

1:03:00

the Y area water supply has brought us in.

1:03:03

So now we have commercial water, commercial sewer, 10 commercial acres, 900 feet of Hwy.

1:03:10

93 frontage with two axes and egresses and potentially a stop light.

1:03:15

But you can't, it's, it's cost prohibitive to develop anything besides houses because of, because of the conditions.

1:03:21

So our, we just didn't understand that we've already been approved by the county engineers to already build.

1:03:27

But then six months later when you zone it in 2019, now there's that condition.

1:03:31

And in reference to the picture, it was brought up with the water you saw there.

1:03:36

The thing that I I don't think a lot of people had understood is that's when MBT came in and built that bike path.

1:03:41

And so the anomaly there in the water and why that and of course it had to just come in conjunction with write more zoning.

1:03:48

MBT comes in, buys 1/4 acre the property and then they build the bike path.

1:03:53

And then they didn't store or remove construction materials in the fall and and and they were going to complete it in the spring.

1:04:02

And so those pictures were from them with actually an uncompleted construction project that we've talked to them and essentially said, yes, we, we are at fault for not storing that property or that area properly in the event that there might be some water.

1:04:16

So those, those pictures were, so you can see how that anonymous event led to that, but it's, you can see that there's already been engineered mitigations prior to that.

1:04:24

So I think if there was that knowledge prior, it's already had engineered design plans that are approved and ready to be built, we could have taken that into account.

1:04:32

So with new fields, yes, 2 developers had to pull out.

1:04:36

We didn't realize how much, how problematic it would be to raise the buildings.

1:04:39

We're just like, we didn't contest it in that 30 days.

1:04:41

So that's our fault as a, as a family.

1:04:44

But it came out to probably over \$1.6 million to bring in classified fill for their idea.

1:04:51

So they had to pull out.

1:04:52

And so we're like, that's unfortunate.

1:04:55

Four months later, another available comes in and same thing happened.

1:04:58

And so we kind of lost a year, year and a half.

1:05:00

And then a third person came in with a with a with a design plan that would have very much community supported part of the Ted tamp that whole area.

1:05:11

And we just said we can't, we can't.

1:05:12

We have to dress it.

1:05:13

So that's why in the last year we got a whole new fields.

1:05:16

I Meg their study that they did essentially corroborated what WGM did and says, well, when you guys decide to build something, we'll just engineer based on that design.

1:05:26

So that's where we're at with it.

1:05:30

I think once we can work with the county and we, we agree that that's it, that condition works.

1:05:35

It just essentially reiterates what we've already done.

1:05:37

So I don't think that's prohibitive, but raising buildings is very prohibitive and especially in a spot where you know, like we're not next to a river, a Creek, a stream, it's potentially if you have a heavy snow here.

1:05:50

So like I said, seven years, I've seen water twice.

1:05:52

So I think it was a it was a bit much.

1:05:54

So I think we can work with the county on that and go from there.

1:05:58

Sorry it took up so much time, but I'll be available for questions too.

1:06:01

So thank you.

1:06:02

Thanks, Taylor.

1:06:04

Does David have anything to add?

1:06:12

Hey, yeah, thanks for your time.

1:06:14

David Friedlander with IMEG.

1:06:15

I just kind of want to reiterate, you know, the the basis for this is that with any development that happens in the county, we have to design it to Missoula County public course standards which require mitigating the 100 year storm.

1:06:30

This condition would go above and beyond that and, and make us design it to the 100 year storm on site while also considering basically this worst case scenario storm happening and encompassing all of all of the basin that that drains to the culvert onto the the subject property.

1:06:48

So, you know, in I, I guess in my, you know, professional opinion, the, a situation where rather than, for instance, if there was a, a large site built in, you know, somehow the funding was procured for a huge amount of fill to take up the site and raise it up.

1:07:05

That would just push more water onto other properties around there.

1:07:08

You can imagine if all of a sudden that is unavailable for water to go to, it all has to go somewhere else.

1:07:13

Whereas if we're designing to this kind of above and beyond scenario, Perms Hill County regulations along with DEQ 8, which governs state stormwater, we have to we are not allowed to pass anything off of our site greater than what would occur prior to development.

1:07:30

So the you're restricted to releasing what's called pre development flows.

1:07:35

And so we have this engineered, you know, flood or I guess storm water study that shows this off site peak flow.

1:07:43

And all we can do is improve the situation for those downstream.

1:07:45

So, you know, at the, if this zoning condition were to be amended at the time of whatever development is proposed, the folks who would design it, whether it's iMac or anybody else would have to address that and make sure that no, you know, deleterious effects are, are caused by stormwater downstream.

1:08:07

And that would be reviewed by, you know, county public works and go through the, the normal processes there.

1:08:13

So anyway, I just wanted to, to kind of reiterate that is the only thing we're doing is that none of this is, is judging a specific development or whether or not a specific development meets any criteria.

1:08:26

It's just changing it from basically raising it to protect the site to just creating a larger worst case scenario storm event that needs to be considered in the in the event of development.

1:08:37

So in my opinion, I think it, it actually helps the any anybody else downstream because it forces you to, to consider a larger event and and follow existing public work standards.

1:08:48

So anyway, thanks for your time.

1:08:50

Thank you.

1:08:51

Is there anyone from new fields?

1:08:57

No.

1:08:59

OK.

1:09:02

Any public comment?

1:09:08

Matt, do you have anything to add?

1:09:13

One thing I'll add that I kind of skipped over earlier was agency comment.

1:09:18

So we did receive a few comments just clarifying other processes that we need to take place.

1:09:26

So I will just add that in addition to the standard or the stormwater review, the health department does administer a certificate of subdivision approval on this property.

1:09:36

So the zoning is really just one layer that we're working with for the stormwater.

1:09:40

There will need to be a, a Cosa evaluation also done to make sure that there are no adverse impacts that it's in compliance with any applicable sanitation rules.

1:09:55

As far I do have just a few clarifying comments to to provide a with regard to the existing condition on the zoning and elevating above 2 feet above highest adjacent grade.

1:10:10

Paul was correct.

1:10:11

Our standard floodplain reviews will defer to a base flood elevation.

1:10:17

Talking about elevating 2 feet above a highest Jason grade is very peculiar type of floodplain, a sheet flow which this was most comparable to.

1:10:27

But again the recommendation is to amend away from that.

1:10:32

I do want to speak a little bit about the storage project.

1:10:37

That was a project that was reviewed under buildings for lease or rents we've approved in 2018.

1:10:45

At that time the area was unzoned.

1:10:47

To my knowledge there was not actual building permits that were approved or grading a drainage plan that actually went through county public works at that time.

1:10:56

And the drainage plan did not actually dress the the entire situation that we're looking at with this off site basin and the rain on snow, which which came into the spotlight after that that project.

1:11:09

But other than that, I'm I'm available to take any other questions.

1:11:14

Thank you questions.

1:11:19

OK, do we have the correct motion?

1:11:24

I unless you have it on the screen.

1:11:26

I I move to approve the resolution of intent to amend the zoning condition.

1:11:31

There we go for the property located at 9772 Waldo Rd.

1:11:34

Lot 1 of Den Blyker Subdivision based on the Planning Board recommendations, findings of fact, conclusions of law and recommendation recommended modification in the staff report.

1:11:45

Second, any further discussion or public comment?

1:11:50

OK, All in favor, aye.

1:11:52

Thank you all.

1:11:58

OK.

1:11:58

Placid view.

1:12:04

Thanks, Matt.

1:12:08

Thanks, Matt.

1:12:49

No problem.

1:12:50

All right, good afternoon.

1:12:52

For the record, my name is Patrick Swart.

1:12:54

I'm a planner with the Office of Planning, Development and Sustainability, and today I'll be presenting the staff report on the Placid View Lot subdivision.

1:13:02

This is brought to us by David and Karen Castle, and they're represented by PCI.

1:13:06

We've got both Adam and Ron here from PCI today as well.

1:13:13

Here is a look at the property in question.

1:13:19

It's a just over 6 1/2 acre parcel.

1:13:21

We're on the East End of Placid Lake.

1:13:24

It's outlined in black and green here just off of North Placid Lake Rd.

1:13:29

and it's just to the north here of Placid Lake State Park.

1:13:35

So the applicants are proposing A1 lot minor subdivision with the intent here being to lift an existing agricultural restrictive covenant that was put on the property property through subdivision exemption so that they can develop the property with a new single family residence.

1:13:52

The property is part of a Part 1 zoning district known as Zoning District 8 and falls within the planning area of the 2010 Seeley Lake Regional Plan and has a land use recommendation of low density rural residential which recommends 1 dwelling for five acres access to the properties proposed from that N Placid Lake Rd.

1:14:14

And they aren't proposing any Parkland dedication or non motorized facilities which is not required with minor subdivisions outside of the urban area.

1:14:22

Also as part of this request is a request to vary from Missoula County Subdivision Regulations Section 3.3, point 2.4, which prohibits the creation of through lots through subdivision.

1:14:41

My screen stopped responding.

1:14:43

Sorry.

1:14:44

There we go.

1:14:46

This is a look at Certificate of Survey 5237 that created the parcel back in 2002.

1:14:53

It's identified here as Tract A1.

1:14:56

As I mentioned, it was a agricultural exemption to subdivision review, so it was created and allowed to be divided without going through that subdivision review process because the owners at the time agreed to place an agricultural restrict covenant on it, just basically saying it can't be used for anything else.

1:15:14

And they entered into that with the board of County commissioners as well.

1:15:17

So there's two paths forward essentially to remove those covenants.

1:15:21

One, they could apply for another exemption to aggregate the parcel back into its original configuration, which would require your approval.

1:15:29

Or the other option is to go through that subdivision review they were initially exempt from, and that's the path we're going through today, that subdivision review for a specific impacts related to subdivision.

1:15:42

Here we can see the preliminary plat that they're proposing.

1:15:45

Again, it's not creating any new boundaries.

1:15:48

It would just be the one lot.

1:15:50

It's currently undeveloped, mostly pretty densely forested and subject to some pretty steep slopes.

1:15:55

Over 25%.

1:15:57

These areas hashed out on the left and right side of the property indicate no build zones for residential and accessory structures due to those steep slopes.

1:16:05

And then there's a pretty small portion of the property here still subject to some slope, but that would be reserved for that proposed residential development.

1:16:17

And we'll get into the through lot criteria a little bit more when I address the variance review criteria.

1:16:21

But as you can see, there's parallel Rd.

1:16:24

frontages here.

1:16:25

Along the north, we have Placid Creek Rd.

1:16:28

and on the southern boundary we have N Placid Lake Rd.

1:16:32

So it's these dual parallel frontages that essentially classify this as a through lot for the definitions and subdivision.

1:16:43

And then I always like to give just a quick overview of the Montana Subdivision and Plotting Act review criteria.

1:16:49

We'll review the request against adverse impacts related to these specific criteria.

1:16:57

So as mentioned, the property falls within Zoning District 8.

1:17:02

The regulations in the zoning district are pretty thin.

1:17:04

It in essence just prohibits specific commercial uses listed here on the screen, which includes Taverns, bars, nightclubs, dance halls, stores, service stations, cafes, hotels or motels or commercial activity of a similar nature or kind.

1:17:21

This district doesn't have any specific space in bulk requirements or density recommendations, minimum lot size setbacks, things like that, that you normally see in zoning.

1:17:30

So the proposal is compliant with the zoning out in this area.

1:17:37

Just a quick overview of our growth policy compliance Goal eight of the growth policy directs us to proactively plan and provide for the logical growth of communities while protecting rural character and sustaining county resources by guiding development areas most suited for it.

1:17:54

And then objective 8.3 of that goal is to guide new subdivisions and development to areas that have the least impact on natural resources and again are most suited for development.

1:18:04

Dovetailing that into the Seeley Lake Regional plan in the land use designation of low density residential.

1:18:13

You can see on this image here on the right that land use designation of low density residential, we have a sizable chunk here that recommends a density of one dwelling per five acres.

1:18:25

As we get closer to the shoreline here, the density recommendation is increased to one dwelling per acre.

1:18:31

And then to the north and east we get into this resource protection land use designation, which really isn't a residential designation.

1:18:39

I think it recommends one per 160 acres.

1:18:44

Also part of this designation is a recommendation to cluster new development and dwelling units being A1 lot residential subdivision with a single residence proposed.

1:18:54

This isn't really applicable here, but it promotes setting aside land for AG and resource protection and emphasizes the protection of water quality.

1:19:03

And it was found that the proposal is in substantial compliance with the growth policy in this regional plan in reviewing for impacts to agriculture and agricultural water user facilities.

1:19:16

As noted, this is subject to an agricultural restrictive covenant.

1:19:20

There's no evidence on the ground that this has ever been used for agriculture.

1:19:24

It's currently undeveloped, as you can see from this aerial image, pretty densely forested across most of the property.

1:19:33

NRCS soil data for the property.

1:19:36

The soil maps show that this property does not contain prime farmland soils.

1:19:41

There's no agricultural water rights associated with the property, and it's also not adjacent to any AG operations and no applicable AG water user facilities like irrigation ditches on are adjacent to the property.

1:19:54

So no adverse impacts were identified to these particular criteria.

1:19:58

I, I, yeah, while, while we're on the topic, just a question.

1:20:01

So does the definition of agriculture not include forestry?

1:20:07

So yeah, clearly this is not.

1:20:11

Farmland as you would typically think of it, but does it, is it interpreted broadly?

1:20:17

And and I have no idea what the AG covenant discussion was like in bygone years.

1:20:23

I believe forest management or forest products may be included in, in statute, John, if you may be able to clarify that.

1:20:31

Yeah, I'm not going to be able to find that definition quickly.

1:20:36

I'll, I'll look, but keep going.

1:20:38

OK.

1:20:39

Thank you.

1:20:48

Transitioning over into roads and access As mentioned, the proposal is to access the road here from North Placid Lake Rd.

1:20:57

on the southern edge of the property.

1:20:59

Included on the preliminary plat is a plat note that restricts access from the north on North Placid Creek Rd.

1:21:06

And to kind of reinforce that prohibition, we're recommending a condition of approval for a one foot no access strip to be shown on that final plat along the property shared boundary with Placid Creek Rd.

1:21:19

North Placid Lake Rd.

1:21:20

is a prescriptive County Road easement.

1:21:22

It's currently county maintained graveled to approximately 22 feet and has a maximum grade of approximately 4.5%.

1:21:32

And then this image that you can see here on the screen is pulled from there as proposed site layout for sanitation review, which shows their home site and driveway coming off that Placid Lake Rd.

1:21:42

there outside of the proposed no build zone.

1:21:49

It's part of the application process.

1:21:50

The applicants were required to complete a wildfire hazard assessment that was reviewed and approved by the County Fire inspector.

1:21:57

They returned a score of 57, which indicates a moderate wildfire hazard level on the property, and the property also falls within the wildland urban interface intermix, which gives it an integrated wildfire hazard level of low.

1:22:11

So properties that return a moderate hazard level or higher on that assessment and fall within the wildland urban interface do need to meet wildfire hazard area standards in the subdivision regulations, which they have either addressed or are addressed through recommended conditions of approval.

1:22:28

I will also note the property is located in the forest Fire Protection area that receives DNRC wildfire suppression, but not necessarily a formal structure fire suppression.

1:22:39

So a comment from the County Fire inspector also recommended annexation of the property into the Seeley Lake Rural Fire District prior to final plat approval.

1:22:50

And the image on the right here you can see the hashed out area represents the forest Fire Protection area that DNRC provides wildland Fire Protection to.

1:23:01

And then properties here along the lake in this bronze color are properties already annexed into the Seeley lake rural fire district.

1:23:08

So their fire suppression plan in addressing wildfire hazard area standards include requirements for a Class A fire rated roofing materials on new residential structures as well as the use of non combustible decks, siding and railing materials.

1:23:23

Requirements for upkeep and maintenance of defensible space.

1:23:27

The installation of residential fire sprinklers in new residential buildings and compliance with specific driveway standards that will allow access to the property for emergency vehicles and all weather conditions all year round.

1:23:41

Our recommended conditions of approval here include amendments to those covenants to ensure enforcement and compliance that requires review at the time of permitting for these specific conditions, as well as the inclusion of plat notes to notify future property owners that the property is located within a wildfire hazard area and to address specific requirements related to building materials and maintenance requirements for defensible space.

1:24:09

And then lastly, we do have a recommended condition that the property either be annexed into the Seeley Lake Rural Fire District or that they demonstrate that an organized emergency response organization provides structure fire response to the property if it's unable to be annexed or Seeley Lake Rural Fire District won't annex it.

1:24:31

Moving into water and sanitation review, can you go back one?

1:24:37

What happens to the properties to the north?

1:24:39

They're Fire Protection.

1:24:40

They're protected by.

1:24:43

So they are technically outside of the Cedar Lake Royal Fire District like I mentioned DNRC does.

1:24:49

Oh, DNRC.

1:24:50

OK, OK.

1:24:51

Do wildland fire.

1:24:52

My understanding is they don't offer like formal structure fire response, but those properties were created through exemptions, so they didn't go through the same reviews.

1:25:05

Got it.

1:25:05

Thank you.

1:25:12

So looking at water and sanitation, this potable water and sanitation review does fall under the jurisdiction of state and local health authorities.

1:25:22

The applicants are proposing a new individual septic and drain field for the one proposed home, as well as an individual well that would be exempt under MCA85-2-3063A, exempt from water rights permitting.

1:25:39

So the allocations would be limited on that one well to 10 acre feet per year with a Max flow of 35 gallons per minute.

1:25:47

We're recommending a condition of approval requiring those specific allocations for things like domestic use and irrigating lawn and garden be clarified in the covenants just to ensure compliance with the exempt well allocation.

1:26:01

Additionally, they do show their proposed well isolation zone here on the site plan.

1:26:07

As you can see it encroaches onto neighboring properties.

1:26:10

So an additional condition would require either written consent from neighboring property owners for that isolation zone encroachment or we do allow for flexibility on final plat for relocating the well and accommodating that well isolation zone if it need be.

1:26:29

And then just a quick overview of the additional local services this was reviewed for.

1:26:33

Solid waste disposal is provided by both Grizzly disposal and Republic Services.

1:26:39

The properties within the Seeley Lake School district at full beldeit with one home.

1:26:43

It's estimated that this would add an addition of two school aged children to the district and Missoula County Sheriff's Office does provide sheriff services to the area.

1:26:54

There's a resident deputy up in Seeley Lake, approximately 8 miles away, moving into review for impacts to the natural environment and wildlife and wildlife habitat.

1:27:09

As mentioned, the property is currently undeveloped, mostly subject to steep slopes, and it's pretty densely forested.

1:27:16

It does share a boundary here kind of on the southeast corner of the property with Placid Lake State Park and it's approximately 350 feet from the shoreline of Placid Lake.

1:27:29

There's winter range on the property for both whitetail and mule deer as well as elk.

1:27:33

It's an occupied grizzly bear habitat as well as bald eagle and ***** habitat.

1:27:39

The proposed covenants do include a condition requiring the use of bear resistant garbage containers as well.

1:27:49

And then I also included a a note here on the slide about the no build zone designation on the preliminary plat.

1:27:56

Well, generally this is associated more with a public health and safety concern, restricting building on steep slopes that will in essence serve a little bit of a dual purpose here, restricting new residential and accessory structure development, kind of preserving a fair chunk of this land outside of the within the no build zone.

1:28:21

We sent this out for agency comment relevant to wildlife in the natural environment.

1:28:27

Generally, we do receive comments from Fish, Wildlife and Parks.

1:28:30

We did not receive a comment in this case, but the proposed covenants to include a version of the FWP recommended Living with wildlife covenants, which are aimed at mitigating human wildlife conflict in new developments.

1:28:46

We received a comment from the Clearwater Resource Council stating they were in support of their quest.

1:28:50

And then we received a comment from the Missoula Conservation District stating they were opposed to the request, citing the potential for impacts to wildlife habitat and wildlife in the area, as well as impacts on the Clearwater watershed from lifting the covenant and allowing for additional residential development in the area.

1:29:14

And then the other conditions not addressed so far just include some compliance with Missoula County subdivision regulations and include plat notes such as waivers for Sid and RSID creation related to non motorized facilities and community municipal water systems for fire suppression, as well as dedication of public utility easements on the plat.

1:29:39

And then lastly, a requirement that the revegetation plan attached to their covenants be reviewed and approved by the Missoula County Weed District prior to final plat.

1:29:51

With that, we'll transition into their variance request from Section 3.3, point 2.4, which prohibits through lots in subdivision except when they're essential to overcome specific disadvantages of topography and orientation, which may be approved through a variance by the Board of County Commissioners.

1:30:16

Just to reiterate, the through lot exists because there's parallel Rd.

1:30:22

frontages here.

1:30:23

On the north, we have N Placid Creek Rd.

1:30:26

and on the South we have N Placid Lake Rd.

1:30:31

To give a little bit of context to the prohibition for through lots in the subdivision regulations.

1:30:35

Generally, this is more applicable in an urban smaller lot context where you have multiple frontages, multiple points of ingress and egress as well as associated visual impacts of having a public right of way adjacent to somebody's rear yard.

1:30:53

Those specific instances or impacts maybe are a little bit less relevant in a more rural larger 6 1/2 plus acre single lot subdivision.

1:31:04

Here some of the potential public health and safety impacts from dual points of ingress and egress are mitigated by those plat notes and the one foot no access strip.

1:31:16

And then I would also like to note that the proposed home side at least as shown on their sanitation site plan is approximately 40 vertical feet below Placid Creek Rd.

1:31:27

which just having that vertical separation would serve as a bit of a visual buffer from road users up on the North End there.

1:31:38

This is a little overview of the specific variance review criteria that we have to evaluate the request against.

1:31:45

The first is would strict compliance result in a hardship?

1:31:49

Staff found that basically strict compliance would prevent them from lifting the agricultural covenant in the situation it would make going through subdivision review, it would prevent the subdivision from being approved and then the option to go back through and get an aggregation really no longer exists.

1:32:06

The other portion of that land that it was divided off from has been further divided through subdivision exemption is and is currently under separate ownership.

1:32:15

Next we look at are there any threats to public health, safety and welfare?

1:32:20

Again, that's kind of getting into the urban versus rural context for these through lots and a lot of the public health and safety concerns with through lots have been mitigated through the no access strip and plat notes restricting access from the north.

1:32:35

Is the request based on unique conditions in this case?

1:32:39

The agricultural covenant really would be that unique condition here.

1:32:43

The the neighboring property immediately to the West also has those same dual frontages, though it's not subject to an agricultural restrictive covenant wouldn't have to go through subdivision review to get approval to build a residence on the property.

1:32:57

So that would be the unique condition in this case.

1:33:00

The proposal does not conflict with zoning or the growth policy.

1:33:04

There were no identified increases to public cost associated with this request for the variance and it was determined that the hardship was not created by the applicants.

1:33:13

Both the roads and the the lot existed prior to the applicants request for subdivision here in essence it already exists.

1:33:21

The lot boundaries exist and the roads exist as a through lot to go through the subdivision review to lift the agricultural covenant is required, but neither of those things were created by the applicants.

1:33:33

The the roads are or the AG exempt parcel.

1:33:38

And then lastly, we received four public comments concerning this prior to the hearing today.

1:33:45

Three of those were opposed to the to the request citing just not wanting to see new subdivisions or housing in the area.

1:33:53

I expressed his desire to keep the property for agricultural uses.

1:33:58

I expressed concern about new development on steep slopes and also cited that adjacent owners had expected the covenant to keep this land is undeveloped.

1:34:09

And then we did receive one public comment in support basically just stating that housing is already limited.

1:34:15

They don't mind seeing one new residents go into the area.

1:34:22

And that's that's all I have for my presentation.

1:34:24

I'm not sure if PCI or if you have questions beforehand.

1:34:27

Thanks, Patrick.

1:34:29

John, can I have some beta on the definition of agriculture?

1:34:35

The Montana Subdivision and Platting Act itself does not define agriculture, but we do define it in our Missoula County subdivision regulations.

1:34:44

And so bear with me.

1:34:46

I'm going to read the full definition for agriculture at the Section 2 point 2.5.

1:34:53

Agriculture is defined as the use of the land for growing, raising, or marketing of plants or animals to produce food, feed, and fiber commodities.

1:35:07

Examples of agricultural activities include, but are not limited to, cultivation and tillage of the soil, dairying, growing and harvesting of agricultural or horticultural commodities, and the raising of livestock, bees, fur bearing animals, or poultry.

1:35:28

Agriculture does not include gardening for personal use, keeping of house pets, kenneling, or landscaping for aesthetic purposes.

1:35:37

Agriculture land includes land used for agriculture or having a soil type defined by the Natural Resources Conservation Service as having agricultural importance, including prime farmland, prime farmland if irrigated, farmland of statewide importance and farmland of local importance.

1:36:04

So in my opinion, given the given all of that, I think the better argument is that timber or silver, silver cultural use is probably not included within that.

1:36:17

And I say that if because of that last part, that it's it, it's land that was used for agriculture.

1:36:25

This wasn't used for agriculture and it doesn't have a soil type that is conducive to agriculture.

1:36:32

However, you know, there could be another interpretation.

1:36:38

Thank you for finding that.

1:36:39

Yeah, yeah, go ahead.

1:36:42

I wasn't.

1:36:42

I was going to ask of the applicant, when was the agricultural covenant put on the land and why we don't, I'm sorry, can you can you state your name?

1:36:57

Adam Coulson PCI The the covenant was put on there with the the COSI don't remember the exact here.

1:37:07

That was it was 2002, 2002.

1:37:10

So it's not ancient history and we couldn't find the exact reason why that was put on there.

1:37:16

We did research into why that was added.

1:37:19

Couldn't find an exact reason.

1:37:21

Our best guess is that with the steep slopes, they just kind of assumed it wouldn't be developed on at that time.

1:37:29

Maybe there was thoughts of putting livestock on it, but as as we could see, that was never really done.

1:37:40

Thanks.

1:37:41

Thanks, Adam.

1:37:44

Good enough.

1:37:44

Yeah, thank you.

1:37:45

Does PCI have anything else to add?

1:37:49

I was just going to say thanks for listening to our request.

1:37:53

The applicants wanted to build a home.

1:37:55

The idea was to go through the subdivision process as that was exempted all those years ago and this would be the safest and best way to get make this land developable.

1:38:07

Thank you.

1:38:08

We also we talked to our engineers.

1:38:10

We agree with all the coven or the conditions for approval and we have been in talks with the Seeley Lake Rural Fire District about that annexation process.

1:38:20

We should be going through that right now.

1:38:24

Thank you.

1:38:24

Thanks.

1:38:26

David or Karen Castle, are they here?

1:38:30

Come on up.

1:38:31

If you'd like to share anything, both of you can come.

1:38:41

This is my lovely wife.

1:38:42

She's the boss, but she delegates the authority.

1:38:45

So thank you for hearing me.

1:38:48

I appreciate county commissioners being elected to something that you get a lot of headaches.

1:38:54

Appreciate the staff for you helping them with all those headaches.

1:38:58

I'm sorry, just from recording, can you state your name?

1:39:01

Oh yes, David Castle, thanks.

1:39:04

I'm sorry.

1:39:06

I guess to answer your one question of why this was turned into Agricultural 1, when we purchased property on Placid Lake just South of this years ago, we bought that from Turnbull and Ainsworth and we built a home there and we loved the area.

1:39:22

Well then they developed the property up behind us and they put it into a subdivision with multiple lots and me and one other person decided to buy, I think there was like 20 acres.

1:39:34

I couldn't afford half, but I bought the 6 1/2 to 7 acres to keep it from being and we took it out of the subdivision thing.

1:39:43

And I didn't know what to put it into.

1:39:45

So I said, well, let's just I was, I was retired sheriff.

1:39:49

So I said maybe I'll put a horse up there someday, but riding a horse isn't my thing anymore.

1:39:54

So that if that answers your question.

1:39:57

Thank you.

1:39:58

Thank you for the for that.

1:39:59

Yeah.

1:40:05

Patrick, anything else?

1:40:07

Nothing else from me.

1:40:08

OK.

1:40:08

Is there any other public comment in the room or online?

1:40:15

Hello.

1:40:15

Can you hear me?

1:40:16

Yes, go ahead and state your name, please.

1:40:19

My name is Ritz Beer and I have one of the lots that's down below this area, actually probably towards the West End of it.

1:40:27

That's the area that's very steep right there.

1:40:31

The cut in the in the road along the County Road is probably, you know, 6 probably probably more like 10 feet of cut right there.

1:40:40

And so I have not seen where they proposed to place the house that did not come in the package that was sent to to me anyway.

1:40:49

So is is the proposal to put the house on the East End of it or on the West End of the of the area?

1:40:57

And hold on here, Fritz.

1:41:04

Good afternoon, everyone.

1:41:05

My name is Ron Ewart.

1:41:06

I'm with PCI as well.

1:41:08

And so there's a, there's a location along N Placid Rd.

1:41:15

where and and I have pictures of it.

1:41:18

They might even be in the packet, I'm not sure.

1:41:21

But where the road grade is pretty much adjacent to the land in that area where the where the home is proposed to be constructed in the drain field.

1:41:32

That's all pretty, pretty mellow gentle slopes in there.

1:41:36

But I just wanted to mention that location, which is shown on the plat is pretty much a grade coming into the property.

1:41:45

And I don't think there's going to need to be any cut there.

1:41:48

Thanks.

1:41:51

Fred.

1:41:51

Were you able to hear that look at?

1:41:53

Yeah, I guess I would look that that kind of tells me that it's on the East End of it, which is right above the castle's existing cabin or home, if I'm correct.

1:42:04

Hold on.

1:42:05

And he is right.

1:42:08

Are you not able to see the screens Are are you just on a telephone?

1:42:11

I'm not able to see.

1:42:12

I'm just on the telephone.

1:42:13

OK.

1:42:14

Maybe, Patrick, can you explain the two lots to the South?

1:42:18

Maybe that'll help him understand where the it's being proposed.

1:42:21

The two lots to the South, I mean they're identified as lot 9 and 10 of Placid Lake E Shore Tracks Phase 2.

1:42:33

I don't know what the address numbers are off the top of my head, but in terms of the location on this particular existing property, the home site is towards the southeast end.

1:42:47

OK.

1:42:49

And that's all I was going to say is that it, it almost looks to me like from a drainage onto the County Road and from a cut onto the County Road and the steepness on the West End that that if this is approved, that there should be a provision that probably restricts any building on probably the four acres.

1:43:09

I think this is a six acre area, the four acres to the West of that because of the steepness of it and the cuts into that County Road.

1:43:18

Yeah, a little bit more than the entire W half of the property is subject to no build zones for a residential and accessory structure.

1:43:27

So the access as proposed here and I will note that when they come in for building permits, if the, if this is approved and when they do come in for building permits, they won't be able to build in those no build zones.

1:43:42

But this doesn't lock him into the specific shown home site on their sanitation plan.

1:43:47

They're going to have to work within that roughly but there can be some fluctuation at the time of permitting.

1:43:53

The subdivision doesn't lock them into the home.

1:43:56

Needs to be exactly as shown on the the sanitation site plans.

1:43:59

They're just giving a a mock up of their proposed plans to be reviewed and approved for sanitation and subdivision.

1:44:08

I guess all I was wondering is can't they restrict that to like the the 1st 2 acres of the property on the East End of it And that's that's the area that isn't steep sloped.

1:44:19

I don't believe it's it's much more timbered in that area.

1:44:23

The other four acres is the less timbered.

1:44:26

In fact, there's not a lot of timber on it.

1:44:28

Drainage would be probably pretty high if they were to do some cuts up in that area.

1:44:33

And there is no provision on the County Road to carry any water away except to run off onto the neighbors down below.

1:44:42

So part of the the subdivision review and I just to help clarify, there are those proposed no build zones that would be required if approved that does direct that development to that southeast corner.

1:44:54

It does look like it's approximately 2 acres in that area.

1:44:58

I don't have the exact acreage of the buildable area on here, but that's that's what it looks like with the no build zones as shown.

1:45:05

And then another element of this is they they do submit a storm water plans that were reviewed by public works for essentially ensuring on site retention that post development run off rates won't exceed existing pre development rates without any development on the site.

1:45:23

Yeah.

1:45:23

So just just to cut to the chase and then to be clear to the caller, you, you are what you're asking for is, is what is on the plat that you, if, if you were able to see it, you would see, see that the, the western half or greater than the western half of the, the property is designated as a no build zone.

1:45:44

And I, I would not have any problem with castles building on that first two acres.

1:45:50

I think that's a decent place to build a home site in there.

1:45:55

I mean, I, I don't like it, but you know, hey, they own that property and they should be able to use that.

1:46:02

It's just that other end of it is very steep property above the rest of us down there.

1:46:07
Yep, Yep.

1:46:08
That's why we all agree.

1:46:09
Thank you.

1:46:12
Any other comments online?

1:46:16
Any comments in the room?

1:46:19
OK, well I'm good for a motion close public comment discussion with you guys.

1:46:25
I move to approve the request to vary from the through lot provision in Sections 3.3, point 2.4 of the Missoula County Subdivision Regulations.

1:46:35
I'll second that.

1:46:36
Any further discussion.

1:46:37
All right, all in favor aye.

1:46:39
Aye.

1:46:41
OK, thank you.

1:46:42
OK, we can take team and I move to approve the request to remove the agricultural covenant on track A1 of

certificate of Survey 5237 through the approval of the Placid View lot minor subdivision based on the findings of fact in the staff report and subject to the recommended conditions of approval.

1:46:59

I'll second any further discussion.

1:47:01

Public comment.

1:47:02

All in favor.

1:47:03

Aye.

1:47:04

Good luck.

1:47:05

OK.

1:47:06

Thanks, Patrick, for navigating the complexity.

1:47:08

Of course.

1:47:08

Thank you.

1:47:10

Thanks, Ron and Adam.

1:47:11

Good luck, folks.

1:47:15

That's OK.

1:47:19

Tim Worley.

1:47:27

Oops.

1:47:27

Or maybe Katie.

1:47:27

Sorry.

1:47:28

Who?

1:47:29

OK.

1:47:29

And Katie?

1:47:30

Tim and Katie.

1:47:37

Yes.

1:48:27

Good afternoon.

1:48:28

For the record, my name is Katie Reader Planner with the Office of Planning, Development and Sustainability.

1:48:34

And with me today I have Tim Morley, Senior Senior Planner with the same office.

1:48:39

Today we will be presenting A1 mile minor subdivision requested by Robert Buzz Alexander represented by IMEG.

1:48:50

The subject property is Lot 5 of Alexander Subdivision and is located just northeast of the Roman Creek Rd.

1:48:57

Frenchtown Frontage Rd.

1:48:58

intersection.

1:49:02

The property is unzoned.

1:49:04

The growth policy that covers this area is the 2002 Regional Land Use Guide.

1:49:10

The guide designates designates this tract as open and resource.

1:49:16

This tract is also located within the French Town Activity Circle.

1:49:24

The property is currently vacant and the applicant proposes A5 lot minor subdivision on the 14 point O 6 acres with the largest lot being 3.3 acres.

1:49:36

This will be the third minor subdivision developed by Buzz, the previous projects being Alexandra States and One Mile Ranch since this minor subdivision.

1:49:47

Since this is a minor subdivision, no Parkland dedication or non motorized facilities are required and no variances were were requested.

1:50:00

Here is the preliminary plat that shows the subdivision with Lot 1 in the northwest corner, followed by lots 2-3 and four and lot 5 over on the eastern part of the property.

1:50:18

A little a little property history is a major subdivision was approved in 2009.

1:50:24

However, due to economic conditions, the developer chose not to plat and the subdivision expired.

1:50:31

There was a family transfer in 2015.

1:50:34

One Mile Ranch was approved in 2018 and Alexander Subdivision was approved in 2021.

1:50:44

And here is a plat that shows the all of the development in its entirety along the western edge.

1:50:52

Here is the family transfer tracks with One Mile Ranch down along the eastern edge.

1:51:03

Here at the bottom W section is the latest of the developments.

1:51:09

Alexander Subdivision and One Mile Estates is proposed in Lot 5 in this upper area.

1:51:18

Here are the review criteria we look at for subdivision development.

1:51:22

We look at how each of these items will be impacted.

1:51:30

Like I said, the property is unzoned and the growth policy promotes responsible residential development that supports property ownership while preserving agriculture and minimizing conflicts with adjacent agricultural areas.

1:51:44

In Frenchtown, new development is encouraged within the designated activity circle, where residential growth up to two dwellings per acre strengthens the community and provides a population base to support local businesses.

1:51:59

However, much of the Frenchtown Activity circle is constrained by natural features.

1:52:03

To the South, large portions lie within FEMA mapped floodplain, while the northern areas are characterized by steep, heavily timbered terrain, making them unsuitable for future development.

1:52:17

The proposed subdivision borders the Frenchtown Special Management Area to the north, which restricts further land development.

1:52:26

Lot 5 of Alexander Subdivision is one of the few properties north of Frenchtown Frontage Rd.

1:52:32

still available for subdivision, making it a unique and valuable opportunity for growth.

1:52:41

All right, on to an evaluation of agriculture and agricultural water user facility impacts.

1:52:49

The larger property that includes the three subdivisions that Katie's been talking about was formerly used for alfalfa, for growing alfalfa and winter wheat.

1:52:59

It is prime farmland if irrigated.

1:53:03

There's a provision in the covenants to contain houses within 300 feet of either Alexander Rd.

1:53:10

or Roman Creek Rd.

1:53:11

to the West, which to some extent, even though these are going to be smaller properties, does keep agriculture a possibility.

1:53:20

Forget the next slide, Katie.

1:53:24

In the covenants, there is a disclaimer that residents live next to agricultural operations, so they should expect odors and noise, etcetera.

1:53:33

There is a fairly elaborate irrigation plan which includes piping and water distribution throughout the subdivision as well as construction of a pump house and I'll show a graphic of that here just in a second.

1:53:46

We do have two conditions related to the installation of this agricultural related infrastructure or irrigation infrastructure.

1:53:54

Really this is a graphic in the covenant showing the blue line that runs NS is where the the piping will be installed and then the three dots or alternative locations for potential pump house locations.

1:54:12

Next slide, Alexander Rd.

1:54:15

accesses 4 of the five subdivision lots and Roman Creek Rd.

1:54:20

accesses the lot in the northwestern corner.

1:54:25

Alexander Rd.

1:54:26

currently exists and will be extended to serve the lots in question.

1:54:32

I think that's it for that one.

1:54:35

This is a graphic showing the potential extension of Alexander Rd.

1:54:40

to the north and to the east.

1:54:42

We did get an e-mail communication from I Meg regarding move the slight moving of the cul-de-sac about 40 feet to the north and east, which you can see in a faint green line on this graphic.

1:54:56

We think this is supportable and that this wouldn't require any sort of additional change and that they could plat the subdivision with this slight change.

1:55:05

From what you see on the plat, 5 exempt wells are proposed with the subdivision.

1:55:13

The water allocation is based on the total water that can be used as based on an earlier agreement with DNRC.

1:55:23

That means that there will be limited outside irrigation available via wells.

1:55:29

But as we've discussed, there will be supplemental irrigation available through the piping of water through Frenchtown Irrigation District lateral water.

1:55:44

All right, the community wildfire protection plan interestingly enough, classifieds this location as a very high hazard area as far as fire risk.

1:55:55

And so the covenants do have a notification that owners for owners in the subdivision that the air that this is located in a wildfire hazard area and as far as as Fire Protection is concerned, residential fire sprinklers are proposed with the subdivision.

1:56:17

On to natural on to natural environment.

1:56:21

The property is characterized by a gently undulating landscaped with low cropped grasses and open space areas.

1:56:29

The subdivision site itself is relatively flat with minimal grade change and no consistent slope throughout Montana.

1:56:35

Fish and Wildlife commented that the project is located in an area where residents should expect to have wildlife habitats around and within the property boundaries.

1:56:46

FWP recommends including living with wildlife provisions in the covenant, such as using bear resistant garbage cans and installing electric fencing around poultry and livestock.

1:56:58

Additionally, the covenants include a notification to property owners to maintain compliance with both the Montana County Weed Control Act and the Missoula County Noxious Weed Management Plan.

1:57:11

A Revegetation and weed management plan was submitted with the subdivision application and has been approved by the Missoula County Weed District.

1:57:30

Hey, public health and safety.

1:57:33

There is no FEMA floodplain on this property, but in the past there have been indications of shallow groundwater of floodplain.

1:57:41

Administration is indicated a potential risk of canal failure from the French Town Irrigation canal in the past, and as a result of that the covenants flag risks of constructing basements and that an engineering professional should be consultant if someone wants to build a basement.

1:58:02

Also, a 1972 aerial photo shows water filling a low Swale on the property on the portion that contains the subdivision.

1:58:10

This has been designated no, a no build zone, and we have a condition that requires the boundaries of this to be delineated in bearings and distances.

1:58:20

And the area I'm Speaking of is shown in blue on the slide.

1:58:29

The county received public comment via Missoula County Voice page.

1:58:33

And here are the comments we received.

1:58:45

Staff is recommending approval with your language on the screen before you.

1:58:52

Thank you, Sir.

1:58:56

Yep.

1:58:56

Any representatives would like to come up?

1:59:01

Hello, I'll start us off.

1:59:02

My name is Tamara Ross with IMAG representing Robert Alexander, also known as Buzz, who's also in the chambers with us.

1:59:10

We're excited to introduce this rural residential subdivision before you.

1:59:15

It is very close to some amenities such as, of course, the Frenchtown School in the Frenchtown Pond.

1:59:21

It's quick jump onto the highway into Missoula.

1:59:26

The average lot size is roughly 2.6 acres.

1:59:29

Katie had identified the largest parcel is 3.03 with the smallest one just under 2 acres.

1:59:37

There are no variances with this proposal, which is also super exciting.

1:59:41

We love to love to have those.

1:59:44

Our pre op for this project was in 2024 and so this has been a long time coming.

1:59:52

There is, I guess, no zoning.

1:59:56

Katie kind of covered it all in her staff report, but no zoning.

1:59:59

We are in the French Town activity circle, which has limited properties for development and we are in compliance with the growth policy.

2:00:06

So if there's any other questions, we do have Paul here as well as Buzz, in which I will yield the remainder of my time to him for his presentation, mostly regarding irrigation.

2:00:18

Thanks, Tamara.

2:00:19

Buzz.

2:00:25

Hello.

2:00:26

Hello.

2:00:27

I'm Buzz Alexander.

2:00:31

I've got a short little PowerPoint, I think 3 or 4 slides.

2:00:39

First thing I'd like to say.

2:00:41

Well, OK, maybe one more.

2:00:45

There we go.

2:00:46

My house is 1873.

2:00:49

It's the oldest house in Frenchtown Valley.

2:00:52

I've lived there.

2:00:53

I've been in that building for 40 years.

2:00:56

The property that I live on, I'm I'm trying to do the best I can to make these, make these lots very livable and, and irrigation is an important part of that.

2:01:12

Sometimes I think this has been a multi year process just to get irrigation water to my house.

2:01:19

That's kind of what it feels like.

2:01:21

You can see that in the middle layer where it says Alexander and Alexander that the top is the my property around my house.

2:01:32

And you can see the appendage there on the left is is kind of a useless piece of property, 100 feet wide, about 1000 feet.

2:01:40

So we did a boundary line adjustment.

2:01:43

If you could move to the next slide go one more slide.

2:01:50

So we did a boundary line adjustment to make the orange my house be be one lot that's separate from this subdivision, but it's included in the irrigation project.

2:02:06

And then you can see the yellow is lot 12345 of this, this subdivision.

2:02:17

The you, you can see the very top where it says pump.

2:02:23

You can see that that orange blue dot is on my property.

2:02:29

Originally I felt that that would be the wisest place to put the pump, but the science involved in pulling water from the ditch instead of pushing it out of the ditch, I've decided it's much more likely I'll put the pump on the ditch and probably on Roman Creek, probably the the furthest of the three options.

2:02:56

And, and luckily all those easements are in place no matter which of those three we decide on.

2:03:03

I'm working with Kevin at Egg Supply to do this right, to design the property.

2:03:12

And if if you go back and forth with these slides a little bit, Katie, if you go back a couple and then forward a couple, you can see go No, no, no, the other direction.

2:03:24

Yeah, OK, water.

2:03:26

So one more down.

2:03:29

You can see there, there the water line goes along the road.

2:03:32

And then if you can go one more.

2:03:36

Now the water line is now getting to the other lots and then go one more.

2:03:42

Now the water line is at the back of the lots.

2:03:45

That's very likely the way that that's going to go.

2:03:50

And it's a big part of, of getting this project workable.

2:03:55

It's been a long process.

2:03:57

My, my cousin is on the ditch board or on he's a ditch rider.

2:04:03

He's been with the French down ditch for 20 years.

2:04:08

The water line from the pump will be 6 inch and then getting down to four inch and each lot will have a 2 inch stub including my lot.

2:04:20

I intend to make the the the irrigation a cooperative and nonprofit cooperative.

2:04:30

So I will build the thing and then give it to the HOA or give it to the the board of the future Co-op and have them make decisions.

2:04:40

Have have all of them, including me as one of the land owners make decisions about maintenance and and cost sharing and whatnot.

2:04:51

And any any suggestions that commissioners have or anyone has I, I have yet to write the Co-op bylaws and those are going to be really important.

2:05:05

So any help you can give me there, I'd appreciate it.

2:05:10

I'd be happy to answer any questions you got.

2:05:13

Thank you.

2:05:14

Buzz.

2:05:16

Paul, do you have anything to add?

2:05:18

OK.

2:05:20

Is there any comment in the room or online?

2:05:25

Oh, sorry, Tamara, do you have something?

2:05:28

OK, OK, we'll close public.

2:05:32

Oh, go ahead.

2:05:34

Question for Katie or or Tim.

2:05:37

So the difference between a minor and A and a major subdivision, not just the five lots, but with a major subdivision, you said there's some other things like Parkland dedication.

2:05:48

Are there other, what are the other attributes of a major subdivision?

2:05:52

It would go to planning board, yes, it would have Parkland dedication.

2:05:57

I think those might be the two.

2:06:00

OK.

2:06:01

Because it's sort of interesting if so, you have, and this may be the case with this one, one large piece of land, a chunk of that large piece of land is carved off and it's made into a minor subdivision with five or less lots.

2:06:13

Sounds great.

2:06:14

And then later another one and another one.

2:06:17

And eventually this one large piece of land is now effectively a major subdivision without having gone through the process or the Parkland dedication or other things.

2:06:26

And that's no indictment of Mr.

2:06:27

Alexander.

2:06:28

And I'm glad we see more housing in Frenchtown.

2:06:30

And I really appreciate your efforts around irrigation.

2:06:32

It's just more of an an observation.

2:06:34

And I wonder if, I mean, if this isn't in our purview to make these laws, we just follow what we get from the state.

2:06:40

But it does seem to be a way to create a major subdivision over time without having to go through what it takes to create a major subdivision.

2:06:48

Yeah.

2:06:48

The other piece to this is that I, I believe non motorized facilities would be required with a major subdivision.

2:06:55

So Buzz, did you have something to add?

2:07:00

OK, OK.

2:07:07

OK.

2:07:07

I would move that one mile.

2:07:09

State's minor subdivision be approved based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval.

2:07:16

I'll second any further discussion or public comment.

2:07:20

OK.

2:07:22

All in favor.

2:07:23

Aye.

2:07:25

Thank you all.

2:07:26

Thank you.

2:07:28

OK, Micah.

2:07:31

Where's Micah?

2:07:31

Online.

2:07:33

Oh, sorry.

2:07:33

I I was like, I saw her earlier.

2:07:36

Yeah, Michelle, Michelle.

2:07:46

So we have.

2:07:48

Yes, someone has solutions.

2:08:05

Good afternoon, Michelle Denman with the Financial Services Department.

2:08:10

I've got 3 resolutions here that we're looking for you to adopt in regards to budget amendments for fiscal year 24 as well as fiscal year 25.

2:08:22

Related to fiscal year 24, it's required to, in order to close the fiscal year, we need to have budget budgets relative to expenditures and revenue that balance to our actual, we call our actual expenditures and our revenue.

2:08:41

So we're in the process right now of closing the fiscal year 24 as we are doing some clean up with our financial information to move into our new financial system.

2:08:55

So with that being said, we have a resolution here that we'd like for you to adopt in order to move us forward with updating and creating a year end budget amendment as part of the fiscal year 2024 budget.

2:09:19

Do you want to do all three, Michelle, what is, what's the threshold of threshold of, of what triggers a budget amendment?

2:09:30

So I'll just leave it at that.

2:09:33

So the, the threshold is within what we call every Ledger account.

2:09:39

So you'll have a fund and you'll have a revenue category and you'll have an expenditure category.

2:09:46

And those revenue categories as well as expenditure categories are grouped into Ledger accounts.

2:09:54

So you might have an individual line, expenditures, for example, you'll have a line for office supplies, you'll have a line for postage, those kinds of things.

2:10:08

Those would then all be grouped into an overall category related to office supplies.

2:10:15

So what we need to look for is we need to look for each one of those higher level groupings to reconcile from, to reconcile their expenditures to actuals as we close the year.

2:10:31

And then of course we have to recognize the revenue that's used for those transactions.

2:10:37

So there are times throughout the year where a department or a particular fund will require to expend dollars that weren't initially part of the adopted budget.

2:10:50

And this allows us to go in and resolve some of those variances between our budget and our adopted activities from a Ledger account perspective.

2:11:04

And is that is that answer your question?

2:11:06

Oh, it's sort of is, is that by state law?

2:11:10

Yes, the state when, when we when we close the fiscal year after we've resolved all of our financial reconciliations, we provide a copy of that information to the state.

2:11:24

And the state does require that our budget to actuals be balanced.

2:11:32

So there are times when we've been asked to approve a budget amendment and then the thing that was described in the budget amendment can happen, the money it can now be spent.

2:11:41

Yes, this seems a little unusual that the money's basically been spent and we're after the fact approving a budget amendment.

2:11:47

So everything lines up.

2:11:49

And I'm just going to follow on Dave's question.

2:11:51

I wonder if is there a dollar threshold?

2:11:53

There isn't, No, there isn't a, there isn't a dollar threshold.

2:11:57

It's, it's simply we have to, we have to categorize all of our Ledger accounts.

2:12:01

And by categorizing all of our Ledger accounts, we have to ensure that the actual spent reconciled back to the adopted budget authority as as we move forward into our new app.

2:12:17

Part of the situation that we're experiencing today and have been experiencing is that we don't, not everyone has the perspective of when departments or portions of the county have been provided with the directive to move forward with something outside of what was originally adopted.

2:12:39

And so we're, we go through a reconciliation process and gather all that information, communicate with the different departments to resolve those differences.

2:12:48

As we move forward, as I believe we've indicated, as we move forward with our new financial application, all of those pieces of the puzzle will be resolved so that before any expenditures actually are allowed to occur, we, we have to have the budget authority in place or else financially you, you can't, you can't move forward with performing any expenditure type activity.

2:13:22

So the new system will be cleaner.

2:13:24

Long story short, yes, yes.

2:13:27

So we, we don't have to do it today, but maybe it would be helpful at some point, certainly for myself to have a little

refresher on, on kind of the, the budget hierarchy and, and, and how purchasing a \$5 box of pencils might tip something over that that would otherwise not require a budget amendment.

2:13:53

And it, and again it, it, I'd be happy to do that.

2:13:56

OK, thanks.

2:13:57

Thank you.

2:14:00

I'm ready to make a motion.

2:14:01

OK, you all are good.

2:14:03

Yes, I move to adopt A resolution adopting the fiscal 24 year end budget amendment as part of the fiscal year 2024 budget.

2:14:11

Second, any further discussion or public comment All in favor, Aye, Thanks Michelle, I have one more.

2:14:19

I have two more.

2:14:21

So the second a resolution that we need you to look at is this year when we compiled the documentation for the 2025 fiscal year adopted budget, not all the information was included in what was actually recorded.

2:14:37

So what we're what we're asking is to create a budget amendment to resolve what was actually recorded with what was actually approved during the budget adoption process.

2:14:56

How do you guys feel about that?

2:14:57

OK, I moved to adopt A resolution adopting the fiscal year 25 adopted budget correction amendment as part of the fiscal year 2025 budget.

2:15:07

I'll second that.

2:15:09

Comments or public, Sorry, any public comments or other discussions, OK, all in favor, aye.

2:15:17

Last resolution that I would like for you to look at is outside of the cleanup that we have done for the fiscal year 2025 adopted budget.

2:15:28

We have found that there are a few items that have that do require a budget amendment in order to bring the Ledger accounts into a reconciliation with the adopted budget and what was expended again moving forward to bring our our, our budget into reconciliation with what we have expended for FY20 25.

2:15:56

So I do have a question here.

2:15:58

Since we still have a number of months left within FY25, is there a reason why we're doing this now as opposed to waiting until after we finish the fiscal year?

2:16:10

There is a great reason that we're paying.

2:16:12

I, I figured there would be.

2:16:13

Yes, there is a great reason.

2:16:14

We are moving forward in the next three weeks to convert all of the data in our current financial system into our new financial system.

2:16:23

And again, like we mentioned earlier is once we move into our new, new financial application, the budget authority has to be in place in order for expenditures to occur.

2:16:36

So we're bringing ourselves up right now today into a current state so that as we move forward and go live with our new financial application, all the departments, all the funds are in the position where they won't have the opportunity or they won't have the situation where their budget might preclude them from moving forward with a requisition, a purchase order or actually making an actual purchase.

2:17:03

Thank you.

2:17:03

I think that is the cover story that Griffin has been waiting for the past couple of hours.

2:17:08

These these three of the essence of clean up bills, which obviously are bills here, but they just feel just like that.

2:17:14

And we're excited for a work day, right?

2:17:16

Work day.

2:17:17

Yes, we're excited for that.

2:17:18

May 1st, May 1st.

2:17:20

Thank you, Michelle.

2:17:21

Yeah.

2:17:22

Is that your motion?

2:17:23

I'd move to adopt A resolution adopting the fiscal year 2025 year to date budget amendment as part of the fiscal year 2025 budget.

2:17:31

I'll second that.

2:17:32

Any further discussion or public comment?

2:17:34

OK.

2:17:35

All in favor, Aye, aye.

2:17:37

Thank you.

2:17:38

Thank you.

2:17:39

Are we adjourned?

2:17:40

Yes.

2:17:42

OK.

2:17:43

Good for you to last man standing.