

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, APRIL 24, 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 Josh Slotnick

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office

Christina Dewar, Administrative Assistant, Commissioners' Office

Melissa Fisher, Strategic Initiatives Manager, Commissioners' Office

Patrick Swart, Planner, Planning, Development, and Sustainability

Brenna Davis, Community Engagement Coordinator, Communications

Mattie Scott, Administrative Assistant, Commissioners' Office

Kathleen Arthur, Planner, Planning, Development, and Sustainability

Andrew Hagemeyer, Director, Economic and Community Development

Allison Kane, Climate Action Program Coordinator, Lands and Communities

Carey Powers, Communications Coordinator, Communications

Katy Reeder, Planner, Planning, Development, and Sustainability

Matt Heimel, Planner, Planning, Development, and Sustainability

John Wilke, Housing Specialist, Commissioners' Office

1. **CALL TO ORDER** *[Time stamp – 0:00]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:02]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:20]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:28]*
 - a. Closed Captioning
 - b. Proclamation: Earth Day
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 3:24]*

6. CURRENT CLAIMS LIST *[Time stamp – 03:41]*

Claims received as of April 2, 2025 to April 15, 2025 by the Commissioners' Office total \$4,383,544.82

7. HEARINGS

a. Fire Bucket Meadows Subdivision *[Time stamp – 04:06]*

Patrick Swart, Planner, Planning, Development, and Sustainability

[Continued to May 22, 2025 Public Meeting]

b. Waldo Rd. Zoning Amendment *[Time stamp – 48:04]*

Matt Heimel, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the resolution to amend the zoning condition for property located at 9772 Waldo Rd, based on the Planning Board's recommendation, the application, public comment, and the findings of fact, conclusions of law, and recommended modification in the staff report.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Resolution 2025-052 Book:1111 Page:1051]

[Letter 2025-061 was sent to TLK Properties, LLC in c/o Taylor Tilman]

c. Proposal to Create the Wye Local Improvements District *[Time stamp – 29:22]*

Andrew Hagemeyer, Director, Community and Economic Development

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the resolution relating to the Wye Local Improvements District, creating the district to provide for the acquisition, operation and maintenance of a public water system in the Wye.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Resolution 2025-053 Book:1111 Page:1052]

d. Hasenyager Minor Subdivision Final Plat Extension *[Time stamp – 1:01:54]*

Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the Hasenyager Minor Subdivision final plat be extended to March 10, 2028 based on the findings of fact in the staff summary.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-057 sent to Eli & Associates Inc. in c/o Marias Hale]

e. Clearwater Meadows Ranch Subdivision Final Plat Extension *[Time stamp – 1:06:10]*

Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the Clearwater Meadows Ranch Subdivision final plat submittal deadline be extended to July 07, 2027 based on the findings of fact in the staff summary.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-058 sent to John Richards and IMEG, Inc. in c/o Michael Maine.]

f. Sun's Up LLC BLR Exemption *[Time stamp – 1:13:11]*

Katy Reeder, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the request by Suns Up LLC. to utilize the relocation of common boundaries on the property submitted in the application at the property located on Hwy. 200 based on the findings of fact and conclusions in the staff analysis and presented in the application and affidavit.

Commissioner Vero seconded.

[Motion Passed 2-0.]

[Letter 2025-065 was sent to Woith Engineering, LLC in c/o Michael Shaylor.]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Vero – Called the meeting to adjourn at 3:17p.m.

BCC Public Meeting April 24, 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

Pledge I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

0:20

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

0:28

We have a couple of public announcements, closed captions available.

0:34

Cheryl.

0:36

Hello, everyone.

0:36

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

0:42

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

0:49

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

0:52

We ask that all speakers today speaks slowly and clearly.

0:56

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

1:00

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

1:06

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

1:10

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

1:13

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

1:16

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

1:18

Thank you.

1:19

Great.

1:20

Thanks, Cheryl.

1:22

We have a proclamation.

1:23

Commissioner Slotnik, would you like to read it?

1:27

Whereas the climate crisis is caused by human activity, especially the burning of fossil fuels, and is harming people and natural systems locally and around the world through worsening environmental disasters, public health emergencies and economic disruption.

1:42

And whereas climate solutions like solar and clean energy are affordable, available, and create significant additional benefits like economic development, lower energy costs, clean air and water.

1:52

And whereas since its founding in 1970, Earth Day has united citizens around the world in a shared commitment to take action to protect our planet's natural systems and the people that rely on them.

2:05

And WHEREAS, the City of Missoula and Missoula County have committed to climate action for many years in alignment with the 2015 Paris Agreement, have shared commitments to climate resilience via the Climate Ready Missoula Plan and to achieving 100% clean electricity for the Missoula urban area by 20-30.

2:22

And are dedicated to policies and programs like our shared Electrify Missoula campaign that support the clean energy transition.

2:30

And WHEREAS the Earth Day 2025 theme of Our Power, Our Planet recognizes the urgent need for global investment in clean energy and energy savings, it also underscores the significant social, economic, and public health benefits of climate solutions within our County and offers a role for everyone to act now.

2:51

Therefore, we, the Missoula Board of County Commissioners and the City of Missoula in the State of Montana, do hereby recognize the 22nd day of April, 2025 as Earth Day and call on our communities, including all residents, businesses and institutions, to engage in the meaningful climate actions that are necessary to achieve our goals.

3:10

Dated this 21st and 24th days of April, 2025.

3:14

Signed.

3:15

Andrea Davis, Mayor of the City of Missoula, and Juanita Barrow, Josh Slotnick and Dave Strohmeyer, you are Missoula County commissioners.

3:23

Thank you.

3:24

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

3:29

I'm sorry, is there someone online?

3:35

Oh, thank you.

3:36

Is or would anyone like to speak to Earth Day?

3:41

OK, We have a current claims list as of April 2nd, 2025 to April 15th, 2025 by the Commissioner's Office totaling \$4,383,544.82.

3:56

We have 246 hearings and we'll begin with Patrick Swart with the Fire Bucket Meadow subdivision.

4:06

Sorry, good afternoon, Patrick Swart with the Office Planning, Development and Sustainability.

4:12

And today we have the second hearing for the Fire Bucket Meadow subdivision.

4:17

I'll begin with just giving a quick recap of our last hearing, which took place on March 27th, 2025, where the staff report was presented.

4:25

In addition to that, commissioners, you heard public comment where concerns were brought up.

4:31

One of the big concerns was around groundwater availability and as a result of that, you decided to delay the hearing to today and requested some more information.

4:40

Since then, PCI has been working with the owner and they have contracted with a hydrologist to prepare a groundwater analysis.

4:47

That report's not finished yet.

4:49

So as of today, I believe the plan is to continue to take public comment, but we're looking to delay the hearing again out till May 22nd so we can get that groundwater analysis and have our the folks over at Water Quality at Missoula Public Health take a look at that report.

5:04
Great.

5:06
With that, we do have Elena Evans from Missoula Public Health here today.

5:11
I know her time's a little bit limited, so if you did have specific questions for Elena, it may be helpful to ask those early on.

5:21
Elena, do you, I mean, do you want to, I know I don't have any questions because I, we haven't.

5:26
Commissioner Strohmeier I know didn't ask if Elena could be present at the meeting but I know he's not here today so I guess going to ask a question.

5:35
I just want to make sure that you would have enough time between now and the 20.

5:41
What's the next The date May 22nd was the proposed and do we know from the developer developer's representative that they'll be able to get Elena info with plenty of time for her to review that info?

5:54
And how much time do you think you would need?

5:58
Yes Hi Elena Evans, Missoula Valley water quality District.

6:01
I'm aware of the timeline crunch and I will if with with a week's time, I will make sure that I'm a week, you know, the more time the better, but I know this is urgent and therefore I will make sure that we have substantial time to review it.

6:21
OK, so I just want to make sure that the developer and developers representative get the info to Elena, not at 1:00 when we have a meeting at 2:00, but with plenty of time for her to actually review the material.

6:33
And do you think that would take you a week?

6:36

Yeah, a a week is needed to review the material prior to a public meeting given other commitments on my mind.

6:42

Sounds great.

6:43

So if you have a calendar in front of you, the date you said was May 24th, 22nd.

6:51

So if we go a week ahead of that, what would that be?

6:54

The 15th of May.

6:55

So it would be great if the developer and developer's representative could get that info to Elena by the say it again, 15th of May.

7:03

Do you guys feel like you can do that?

7:05

Thank you.

7:06

Great.

7:06

And if and if if it can't happen, let us know and we'll postpone again.

7:10

We're we're just not going to do it on a rushed timeline.

7:13

We want to make sure Elena has enough time.

7:15

So thank you.

7:17

Thanks for indulging me in math.

7:19

Yes, of course.

7:20

Ron from PCI.

7:21

Do you have Ronnie or do you have anything to add or that works for you?

7:26

OK, wonderful.

7:28

Thank you, Elena.

7:29

Thank you, Elena.

7:30

Thank you, Ron and Patrick, I guess.

7:36

Yes, so there were public comments received between last meeting in this meeting that have been included in the agenda packet.

7:43

We did receive two additional ones after the agenda was posted.

7:46

So for the record, I was just going to give a quick overview of the key points of that.

7:51

And then from there, if that works for you, we can move into public comment for the room and online.

7:56

Wonderful, thanks.

7:57

OK.

7:58

So the first comment expressed concerns around development being split amongst those 3 tracks, referencing that we had an initial meeting about 3 separate minor subdivisions and stating that they feel this should be reviewed as a major subdivision as opposed to a separate minor subdivision.

8:18

They stated that approval of the first minor may set a precedent for approval of the others with minimal oversight and stated there's concern about lack of transparency regarding their full development plans.

8:30

They also noted that this is an area that has a history of low water yields, dry wells, and well maintenance issues, and state of the developer has not provided adequate evidence of sufficient water supply.

8:42

They also noted that the fire suppression systems, specifically the residential fire sprinklers proposed, may be ineffective due to an unreliable water resource and noted that the fire station that's approximately 1.7 miles away isn't always staffed.

9:00

They also commented that the natural draw on the property where the proposed detention pond is potentially could impact or alter surface and groundwater flows and impact existing wells and commented that it may also increase mosquito populations.

9:17

They addressed steep slopes saying that wells and septic systems on steep slopes pose a risk for seepage into groundwater and spring fed areas and noted that future development could intensify this risk.

9:33

They also addressed that the developments broader impacts again have not been fully assessed because they believe that the three minor subdivisions that they met with the county about should be reviewed as a single major subdivision project.

9:50

The second comment we received again reiterated that the original lot was created in 1979 through a subdivision exemption and did not establish road and utility easements.

10:04

They mentioned that the 1986 court order required those easements to be established, but they never were, creating what they described as a legal limbo and stated that text.

10:13

Cates, the heir to the developer, expressed A willingness to resolve those easements but lacks clear legal authority without probate of his mother's estate.

10:25

This comment also addressed the minor subdivision question stating that by developing only Tract 48 at this time, there were in effect avoiding major subdivision review requirements and addressed the concern of groundwater availability, saying nearby wells are insufficient and a special district was created to supply water to those lots.

10:48

They also noted that the proposal may not meet county standards for dependable water source, especially considering cumulative impacts of the potential major subdivision.

10:58

They also addressed steep slopes, clay soils, and overlapping well isolation zones will make it challenging to site septic systems and find building locations and stated that large no build zone restrictions and restrictions on irrigating lawn and gardens around the lots will complicate weed management.

11:18

They stated that environmental risks from septic cut fill, storm water impacts were downplayed and misrepresented in the staff report and that the tributary or a tributary of O'Keefe Creek was not addressed and concerns about artesian wells and groundwater impacts were inadequately reflected.

11:37

And then lastly, they stated that RSID waivers shift future costs for things like paths, water systems and road maintenance to homeowners, potentially creating unaffordable expenses.

11:49

Thanks, Patrick.

11:51

Is there, I guess.

11:52

Well, yeah, take public comment on this.

11:57

Anyone in the room.

11:59

It looks like we have one.

12:01

Oh, I'm sorry.

12:03

Come on up.

12:10

Oh, I think you need to hit the hit the button.

12:12

There we go.

12:13

Hello, Kevin Curtis.

12:17

I'm one of the neighboring properties to the proposed subdivision.

12:22

Some of the things from the last round that came forward after we had comment was per county regulations, adequate quality and quantity has to be met.

12:34

At this point that hasn't been proven, but that's what they're apparently getting ready to to check into.

12:40

One of the things that was said the last time by Ron with PCI was depending on where you drill in the size of the pump and so on.

12:52

He went on to further state and I quote, I mean, you can add a bigger pump to gain more water.

13:01

A bigger pump doesn't create more water.

13:04

It sucks the the known water Dr.

13:06

faster.

13:07

You can do different things to get more water and you can put in a tank, you know, a pressure tank or cistern.

13:14

Again, that's not gaining any more water coming out of the ground.

13:18

That's just gaining a supply source for the water to pull from.

13:23

Some of the things that were said about fire suppression.

13:27

If we're running fire suppression off of a cistern, that cisterns going to run dry before a fire truck could ever even get there.

13:35

It's going to run out and not do anything and not and that well pump isn't going to be able to replenish fast enough the water that's in storage.

13:44

Some of the well reports that we looked over after the last hearing, one of our neighbors, it states on the printed paperwork that they have an 80 gallon a minute well.

13:57

On the actual well log that was the handwritten, it says 8.

14:02

So it was a typo.

14:03

But that sure skews our average of water saying that there's an 80 gallon a minute well in our neighborhood when it's only actually 8.

14:14

We talked to a lot of neighbors and got well reports from our current neighbors and current wells that are on site.

14:23

And most of them have said that if it states that they have a 13 gallon a minute well, they may actually only be getting 7 to 8 gallons a minute out of, you know, the higher producing wells on their properties.

14:37

When they do well test what the well truck and pump are producing isn't necessarily what a well in place is going to produce.

14:46

Their kind of skewed numbers there.

14:48

And I think a lot of our neighbors actually emailed in kind of their sides of here's my well and what it does and how dirty and and all the money we spend on trying to make clean water out of the water that we have available to us in the subdivision.

15:03

Thank you.

15:04

Thanks, Kevin.

15:06

Anyone else in the room push the bug?

15:15

I think it's still the light's still on.

15:17

Very good.

15:19

I'm Gordon Schmill.

15:20

I'm also one of the land owners that **** up against the properties that that are being looked at being subdivided.

15:31

I'm one of the ones that sent in paperwork here that that was read.

15:36

And I just want to reiterate that I believe that the developer and the landowner are trying to sidestep, trying to make it easier to pass along a development so that the other two tracks and go hand in hand easy without any hiccups with you folks.

16:04

I, I don't believe this is a minor subdivision.

16:06

I believe this is going to be a major subdivision.

16:09

And you guys know as well as I do, there are certain rules and regulations you have to follow and certain steps you have to do in between a minor subdivision and a major subdivision.

16:22

And so we as neighbors, I plan on being there until you till you cremate me and **** ** into the wind.

16:33

They plan on developing this making \$3,000,000, three and a half million dollars, sell their place and go away and retire.

16:42

We don't know what we're going to get out of this.

16:44

And so it was stated in the last meeting you, you asked, is this, is this a Segway to, I mean, are we trying to sidestep this?

16:54

Are you looking at doing two more tracks?

16:56

And it was said by him and I can't quote him word for word, but it was like, well, I can't tell you what the, what the owner's going to do with this property, but maybe, maybe three years of maybe not, I don't know.

17:07

So I, I don't think they're being truthful with you.

17:11

And, but the original plan that was handed out to us, there's a plan and they have it in place and it's in their head.

17:19

And I really think they're trying to fool you.

17:21

They're not fooling us.

17:22

We're here to fight.

17:24

I don't think it's sustainable.

17:25

I don't think there's enough water.

17:27

I don't think the slopes, the grades, the area had, they just came to us and said we'd like to break this up in 10 acre tracts, you know, that may sustain the the groundwater, the availability and stuff like that.

17:41

That may sustain some housing development there.

17:46

Not 15 homes, not 20 homes, not 25 homes.

17:50

I just don't believe that gully or that area is sustainable water wise or land wise.

17:56

So we're going to continue to fight this and and we want to make sure things are right.

18:01

Thank you.

18:02

Thank you, Gordon.

18:07

Anyone else?

18:12

Good afternoon, everyone.

18:13

My name is Ron Ewart with PCI.

18:15

Just a quick recap for this proposal, 20 acres, 5 lots, 4 acre average.

18:24

The zoning allows 2 acre lots.

18:27

We're not asking for any variances to the subdivision regulations or, or the zoning regulations.

18:35

We've been extremely transparent from the very beginning.

18:39

I, I, I sent letters out to all the folks.

18:42

I think I've sent out about 3 letters to everyone trying to, trying to let them know, you know what, what's going on.

18:48

We're looking at tract at this one particular 20 acre tract.

18:54

We have commissioned the groundwater report for the Y area and we'll provide that to the county as soon as possible.

19:00

I've also spoken recently with some Weld rulers in the area who have worked in this area and I've done some additional research.

19:10

The submittal packet contains information on groundwater that we've discussed.

19:17

What we know is that in the Y area, because of the variations of the hydrogeological characteristics of the substrata, finding plentiful groundwater can be inconsistent, that first one.

19:32

So the Y area and the area to the northwest contains what's called TS unit.

19:41

It's a tertiary consolidated sedimentary rock aquifers where the underground is more mixed.

19:48

It's more topsy turvy if you will, unlike South of the Interstate where we have the katernary unit with

alluvial and basin fill unconsolidated deposits for more unconfined aquifer where water rather freely moves through layers of sands and gravels beneath the Clark Fork valley corridor and under Missoula.

20:13

There is plenty of groundwater in the TS units, but those aquifers are more confined due to the variations of the substrata and importantly because of this there is this creates a lower potential for transmissivity between wells as you would have let's say in the in the yellow down below.

20:32

The amount of groundwater used by a single family home with a small amount of allowable irrigation in the summer is very low considering the amount of groundwater present in the area of the home as well.

20:45

Second, please, I think it's also important to consider the sheer distance between wells in this area.

20:52

We are proposing to add 4 wells over a 20 acre property.

20:56

That's a lot of area.

20:57

If you stand there on fire bucket loop and and look across it.

21:01

Just to give an idea of scale, the distance from the Sparks home to the Curtis home is 3000 feet, well over 1/2 of a mile.

21:11

The wells on Leashman Lane and others are over and across this wide gully.

21:17

The neighboring wells that are actually nearby are upgrade are upgradient of the proposed wells.

21:24

We also know that newer technology and proper well construction, including experience of the driller, materials and information, equipment used, grouting, gauging the underground layers as they drill, perforating the pipe through permeable layers, and determining how to construct the well in advance as they drill ahead through the layers are all very important factors in constructing a successful well.

21:47

Many people in this area use cisterns where where their well slowly fills the tank for water use as needed.

21:54

Just to give a mathematical example, let's say you only get you only get 3 gallons per minute.

22:00

If you ran your cistern pump for 24 hours, that's 43120 gallons.

22:05

That's over 10 times as much as you need for the day.

22:07

And most cisterns are considerably smaller than that, like most of them are around 400 gallons.

22:14

Potential buyers should know in advance that drilling for groundwater in this type of aquifer may produce inconsistent qualities and results in terms of quantity and they should be prepared to consider use of a cistern.

22:28

So essentially number one, there is adequate groundwater for single family homes at this low of a density.

22:35

It's a matter of using the right techniques and hopefully doing drilling in a good spot and to a single family well will have little to no effect on existing neighboring wells with this type of underground substrata, at least as compared with with the Quaternary in the Missoula Basin.

22:53

And also because the existing wells are either upgradient from the proposed wells or the existing wells are located a significant distance away.

23:03

So I just want to throw out those two things.

23:05

Thank you.

23:05

Thank you, Ron, is there anyone else?

23:17

Good afternoon, Commissioners.

23:19

For the record, my name is Jean Curtis.

23:21

First, I'd like to thank you for postponing your decision on the subdivision when you recognize there was more information needed to make an informed decision.

23:30

That information in the packet, as has been said before included regarding water availability, was based on well logs and several sections in the vicinity and had errors and didn't focus on the source of water to be tapped for this subdivision, rather a much larger area.

23:49

It's already been talked about with the bigger pump, you just pump it dry faster.

23:55

The staff also seem to be lacking in reviewing Elena's comments from public health about the artesian wells and the concern about adding septs.

24:04

Altering storm water and that cut and fill may impact neighbors properties as more clay and gravel lenses can be highly sensitive to change.

24:16

The Missoula County Subdivision regulations, as was stated before, Regulations 3.6 point 2.1 required they demonstrate A dependable water source, both quantity and quality in that subdivision application.

24:31

The well logs for four or five sections of land does not accurately do that.

24:36

As many of these neighbors have stated, have limited flows, more than one well, and must use cisterns.

24:43

Missoula County has some closed water basins like Hays Creek for example, and basins that limit irrigation like Hull Creek.

24:53

I did some research on the DNRC website about the process they require for someone to get water rights in those limited or closed basins.

25:02

It has a lot of detail regarding net depletion and adverse effect.

25:07

Those rules are in statute.

25:10

An applicant must use a professional for a hydrogen hydrogeologic assessment.

25:16

I'm glad they're they're going to do an assessment, but that must analyze whether there's any net depletion that will result in an adverse effect on a prior appropriator.

25:26

So basically it's the people that already have a well, is it going to impact them?

25:32

For groundwater applications, they must also describe how those wells of the prior water rights will be lowered and the rate and timing of depletion of connected waters.

25:43

I'm glad that Mister Ewart gave you a, a picture of showing the difference in water out there because it really is a different thing.

25:50

Another person that you may want to have staff get some information from is, I don't know who is your person that overseas the Sunset Water District now through the county public Works.

26:02

But I mean, they can tell you what a challenge it is out there.

26:08

I know the subdivision regulations don't require that hydrogeological assessment, but maybe it makes sense to have Mr.

26:17

Sparks pump his well with a big old pump for 24 hours and then measure what happens to the neighbors.

26:22

Well, maybe that's what this assessment will do.

26:24

I hope so.

26:25

It's good to listen to the people who live there.

26:27

I'm sure all of you at some point in your time as commissioner, have heard about Mullen Trail.

26:32

I know I did when I was commissioner.

26:35

Mullen Trail Subdivision was approved, ignoring the locals warnings about high groundwater and annual flooding from Grant Creek.

26:41

It was approved and even allowed basements.

26:44

Lots were sold, houses were built with basements, groundwater came up, the Creek flooded and the county was sued.

26:52

This time what I hear the local saying to you is, are these things?

26:58

There's a shortage of water here.

27:00

The well log submitted don't tell the real story.

27:03

The water we get is very high in iron.

27:06

We have low producing and dry wells.

27:09

Several of us have more than one well.

27:12

We have to use cisterns.

27:14

We don't irrigate our fields as there's not enough water.

27:17

A few people get water from artesian wells that could be adversely affected.

27:22

We're not saying we just don't want more neighbors.

27:24

We're concerned about water.

27:26

We're worried about the water for our own houses and livestock.

27:31

If this subdivision is approved and the lots sell and the new owners drill a well and put a septic in clay on a hillside, my water may disappear and the wastewater could get in what little water we have.

27:43

As you've been warned by Miss Evans, I know very well that you must take into effect findings of fact and conclusions of law regarding subdivision approval or disapproval.

27:54

It seems to me the neighbors have worked hard to provide you with adequate findings to at least make the sparks prove they can provide enough water, good water, quantity of water without adversely affecting those existing water rights.

28:08

Without such an assessment, can you really conclude that they meet the required regulations and are you confident the neighbors won't be adversely affected?

28:18

Once the subdivisions approved lots are sold and wells are drilled, there will be no recourse for those who end up with a dry well.

28:26

But to come back to you and say I told you so now what are you going to do with taxpayer money?

28:32

I feel bad for the sparks as most people invest in land thinking it'll be a nest egg sometime in the future.

28:37

But with our changing climate and demands for water, this will not be the only time that you have a hard decision to make because the carrying capacity of a particular piece of property is not enough to support additional development.

28:51

I'm glad you read the resolution on Earth Day.

28:56

And I know that the commissioners have already demonstrated your concern regarding climate change.

29:02

This water issue will only continue to get worse, so I look forward to hearing what their results say.

29:10

And I have a the paper from the DNRC about what they do, and I'll just hand that to Elena since she's going to be doing your evaluation.

29:17

Thank you, Commissioner.

29:19

Sir, anyone else in the room?

29:21

Yeah.

29:31

My name is Sarah Curtis and also a neighbor on the far end of the 60 acres of which have subdivision plans.

29:43

Also again, thank you guys for postponing and considering all of our concerns.

29:51

We bought our property from Sparks family, all part of the family property.

30:00

We currently have 4 wells on our property, three of which are dry.

30:06

We also have a cistern to get enough water to supply our home.

30:12

We don't have enough water to water our lawn.

30:16

We are on 11 acres and there's weeds, lots of weeds because you can't control weeds without water.

30:27

I personally went and spoke with many of our neighbors because I know these well logs that I've pulled and researched and gone through and found the discrepancy of the 80 versus 8 miles gallons per minute log.

30:45

I went and spoke with neighbors about what are you actually getting?

30:48

Have you had it tested?

30:49

You know, if you get a sprinkler system or you're looking to, you have to get what's your actual gallons minute are to see if you can support a sprinkler system.

30:58

I have neighbors that their gallons per minute say all kinds of different numbers on the well log and they're much lower or they've had to install a cistern since they've installed their original well.

31:14

People are replacing their well pumps every two to four years because they're just iron is doing a number on them.

31:21

We have super, super deep wells that are still not getting any or good water.

31:28

We've talked to a handful of neighbors that have flow seasonally that is extremely low where they're not able to supply their homes with sufficient water.

31:41

We personally have seasonally lower flow in our own well water systems in the area.

31:49

All around Fire Bucket there's water systems you have.

31:53

Sunset W, you have Fred Lane, you have a handful of different ones.

32:03

Have we or has there been any internal departments consulted about why there's so many other water systems in the area yet?

32:16

We're looking to put in this major subdivision because we all do know, as you've heard from us, that it will be 3 subdivisions.

32:27

Ron said it himself.

32:29

They'll probably do XYZ with the rest of them.

32:33

Our personal cistern is 15,100.

32:39

Sorry 1500 gallons.

32:41

It's not enough, like I said earlier, to keep up with watering even just directly around our house for fire prevention type watering, but there is a lot of other water systems in the area.

32:54

You guys have internal departments that keep records of all of those things.

32:59

One of the fire bucket neighbors would probably speak, but he's to attest to this, but he is a county employee and a fire bucket neighbor.

33:12

I just appreciate you guys postponing and doing the water testing that they're agreeing to do and we just thank you.

33:20

Thank you, Sarah.

33:23

Anyone else in the room?

33:26

OK, we don't see anyone.

33:27

We'll move to online.

33:30

Deborah Bell.

33:34

Good morning, Gunny.

33:35

Commissioner, rather good afternoon.

33:36

Can you hear me OK?

33:38

Yes, great.

33:39

Thank you.

33:41

I really appreciate the opportunity to be here today.

33:43

My name is Deborah Evison Bell.

33:45

I'm an AICP Certified Land Planner and the daughter of Donna Evison who is an adjacent landowner to the proposed Fire Bucket Meadows 5 lot subdivision.

33:54

My mother has owned her property, track 50B of Cos 5263 since 2006 and I lived with her from that time until 2018.

34:03

In November of 2023, my mom first was sent a notice of that 15 lot subdivision for three tracks of record, Track 48 which is today's subject property owned by Dale Sparks in track 51 which is 20.69 acres owned by Glen and Dale Sparks and also track 53 which shows ownership of Leon Hayward.

34:25

My mother did provide comment and I only mentioned this as it is germane to my later comments.

34:31

In November 2024, my mom was then sent to notice of the five lot subdivision proposed on track 48 which was once owned by Weldon Sparks and his wife and dated to Dale in 2021.

34:41

My mom is not opposed to growth.

34:42

She understands property rights, especially her own.

34:46

After reading the proposed.

34:47

The lab do have 3 concerns.

34:49

First and foremost, I echo those of her neighbors hear that the main concern is regarding water.

34:56

My mother has one of the most senior water rights in the area, if not the first, as her well was dug in 1994.

35:02

Mr.

35:02

Weldon Sparks as well was dug in 1997.

35:05

The wells in this area do not tap the Missoula Aquifer.

35:09

Rather, these wells tap a suspended stratigraphic lens, which means that the water migration has nothing to do with the current topography.

35:17

This area is bound by several faults, those that run EW along I-90 and those that run north-south of Pi 193, creating every old pass.

35:26

There's also a slip fault that runs behind the Black Cat precipice, which peaks at 4249 feet.

35:33

The recharge to this suspended lens comes from snowmelt and what little rainwater they do get.

35:40

Like many of her neighbors, she has had to replace her pump several times, her water softener and had basically asked a baby her septic system as the soils in this area are hard packed clay.

35:50

The draw that my mom lives on.

35:52

If you look at the geomorphology, it's actually an inverted stream bed.

35:56

Due to the slipped fault, she has worked hard to maintain the natural vegetation.

36:01

She has worked with the State Weed Extension office to eliminate knapweed and encourage the growth of native Missoula fescue, yellow bells, lady slippers, Indian paintbrush, Arrowhead, balsam root and Lupin.

36:13

A major concern that she has is that the knapweed that infest the current track 48 will be disturbed during construction.

36:19

She is requesting that prior to any construction that the weed extension office be consultant how best to eliminate that infestation prior to construction to prevent its spread and contamination.

36:31

Second area concern, excuse me.

36:33

A third area concern is actually the proposed road and the relating development covenants and the maintenance agreement that is proposed.

36:41

While they stipulate within those that Lots 2, four and five will not be allowed further splits or Adu, Lot 3 is purposely left out.

36:49

And in fact, the proposal states that the reason Lot 3 is not included is because of its topography being mostly flat.

36:56

There are no plans to redivide at this time, but it is a future option.

37:00

I'm not sure if you've read the included correspondence between Mr.

37:04

Ewart, Chris Johnson of Warden Thane and County Planner Patrick Stewart, although I do know that Tim Worley and John Hart were CC Ed on it.

37:12

But let's put a pin in that for now and I'll come back to it.

37:16

We know for a fact that the original Cos created 6220 plus acre lot tracks in 1925 and that was planted, sorry, that's Cos 1925 and that was planted in 1979 for Geneva Cates.

37:31

We do know that 1986 Judge Deshaw in the District Court of the 4th Judicial District in the State of Montana under Cause Five 8517-13, stipulated for judgment that the roads within Cos 1925 shall quit claim to each adjacent owner subject to the private road easement of the same dimensions.

37:53

So this basically means that all those 62 tracks owned to the center of the depicted road, and that means 30 feet of each center line.

38:03

And that's important because the judgement also states that that access is a private road easement.

38:12

And that private road easement means that those people have rights to that underlying property and that they should be consulted when and if there is overburdening or additional development.

38:25

Further, this access is also depicted and stipulated on Certificate of Surveys 486558585866 and 5918 as a private easement.

38:38

It's also important to note that in the judgement, 52% of the original tracks having been sold and dwellings constructed and occupied by that.

38:46

The HOA shall then take steps necessary to create a special Improvement District for paving the roads and this was done in 2006.

38:53

My mom was part of that.

38:54

The judgment also states that each property owner shall be responsible for the installation and maintenance of utilities to attract a parcel of property in which that individual or entity has ownership.

39:04

The HOA did petition and went through the extensive process of creating an RSAD for those roads that met the criteria.

39:11

It was argued then by the Sparks family that the criteria for the back portion of Fire Bucket Loop did not meet the threshold as 52% had not been developed and so they were not party to that portion of Fire Bucket being reconstructed.

39:26

Cos 586558585866 and 5918 all called this site and judgment as depicted for Fire Bucket Loop to be a private road easement, as do 12 other certificates of surveys.

39:42

In Mr.

39:43

Johnson's letter.

39:44

I encourage you to read it.

39:45

He states that there are three subdivisions mentioned that we're off public road right of way.

39:53

But these these subdivisions which did not receive a whole lot of pushback is because all of those roads were actually in the process of being dedicated public road right of way.

40:05

So the physical access easement that provides Mr.

40:07

Sparks's physical access to his tract is in fact a private easement.

40:11

Those properties that abut it own the underlying land.

40:15

An asset should be consulted by any change to the existing travelled way.

40:18

The proposal is for five lots currently and this requires a 24 foot gravel Rd.

40:24

with drainage ditches on both sides.

40:27

The covenants and maintenance agreement do not stipulate the need or schedule for biannual maintenance, dust abatement, snow removal or confidence or contemplate the need of a necessary snow removal storage.

40:39

It there's there's a some more folks after you do you think you could Yep, I'll wrap it up.

40:46

OK, thank you.

40:47

Yep.

40:48

So they disregard these concerns.

40:50

The request is that the subdivision be further conditioned if approved and that any additional subdivision that is created that uses the existing private road easement of that proposed 24 foot Rd.

41:01

be paved and brought up to County Road standards so that those lots within the fire bucket Meadow subdivisions and those subsequent subdivisions create their own RSID for maintenance.

41:10

Thank you.

41:11

Thank you so much.

41:12

And if you have more, obviously, please, please share, shoot us an e-mail.

41:17

Will do.

41:18

Thank you.

41:18

OK, Thank you.

41:21

Donna Evison, can you hear me?

41:33

Yes.

41:34

OK.

41:35

Hi, I'm Donna Evison.

41:37

I live at 11021 Fire Bucket Loop, which is Parcel 50B, which is directly east of the proposed subdivision.

41:46

And I have one of the oldest wells, which was dug in 1994.

41:50

And at that time it produced 5 gallons per minute.

41:53

I replaced my pump 4 times since 2006 and I currently get 3 gallons per minute.

42:00

I was part of a survey through the Missoula Valley Water District in 2021 through 2022 and I have provided the commissioners with information on that survey.

42:12

However, I would like to point out since we were talking about seasonal fluctuations, In 2021, water in my 200 foot well in April was at 117 feet, which dropped to 155 feet in August, or it dropped 38 feet.

42:34

In 2022 in April the water was at 115 feet, dropping to 166 feet in September or a drop of 51 feet.

42:45

So each time that that well was pinged, in other words tested to see where the water was, I was asked to see asked if I had been irrigating, which I do not do with my well.

42:58

I have no sprinkler system.

43:00

I collect snow melt and rain from my roof and have a 4975 gallon capacity to store water for my trees and a small lawn in the back of my house for during the summer time when there is no rain in that area.

43:19

And even with saving that much from rainwater and snow melt, I run out.

43:26

I spoke this morning with Shelly Stetterson who lives directly across the street from the on Fire bucket at because I knew that she had replaced her well in 2013 and she shuts off her sprinklers in July so that she has enough water for the house even though she has a cistern, which has been recommended that this is a miracle thing.

43:50

Cisterns are great, but if you don't have water to put into it, what good is it?

43:57

So she has to modify her usage in her house so as not to run out even with her cistern.

44:04

And if you do run your pump 24 hours in order to fill a cistern or a fire suppression system, you're going to get into a situation worse than what I have in just replacing your pumps.

44:24

So our concern, Shelley's in mine, sorry, is that we will run out of water.

44:33

We will have somebody who because and we take care of our lawns.

44:40

We are we don't use our limited water supply on these great expanses of water.

44:48

We shut off our water in July, she does in July and August and doesn't wastewater.

44:55

But we have no idea whether or not such restrictions, whether people, new people will restrict their water usage in that way.

45:05

And once we are adversely affected, what is our recourse?

45:10

I, it's a real concern to not have water.

45:19

And I, I appreciate you're taking public comment.

45:21

And I don't have a solution for this, for this problem only concerns that the other homes that we have that are currently using the water that we do have available will be adversely impacted.

45:37

And as far as the road is concerned, I am one of the people that do still pay \$1325 each year for an RSID for the pavement which ends at my property line.

45:50

It does not go in front of my, my home.

45:53

And for this, I get to eat the dust of all the folks that live beyond my home.

45:57

So there must be a concrete provision for the maintenance of the road and not just, you know, yeah, we're going to do it because at the present time, the people who do maintain the road do it on a volunteer basis and they may not.

46:14

That gets pretty old pretty quick.

46:15

So they may not be able to do it and they may not continue that service.

46:21

The snow that is plowed off the road needs to be placed in strategic spots because it of course water as it melts.

46:31

As the snow melts it runs downhill and that causes major ruts in in the road right in front of my home before it reaches the pavement.

46:41

So my desire is for though I don't want to stop other people from development or having the use of of this beautiful area.

46:55

The problem is water has been water.

46:58

And other than getting city water in this area, I really don't see how adding more homes to it are going to are going to help.

47:09

So thank you for your consideration.

47:12

And please be very mindful that when you're running a home and it has no water, you have a real problem.

47:22

Thank you.

47:23

Thanks.

47:23

Thank you, Donna, is there anyone else online?

47:31

OK, we'll continue this on May 22nd.

47:37

Thank you.

47:38

Oh, yes, Commissioner Slotnick.

47:40

No, I just want a couple minute break.

47:42

Oh.

47:42

Oh, we need a, a, a bio break.

47:45

We'll be back in 2 minutes.

47:59

Good afternoon.

48:00

I'm Matt Heimel with Planning, Development and Sustainability.

48:04

I have a brief presentation about this Waldo Rd.

48:07

zoning amendment.

48:19

Just got to click all the things.

48:23

OK, so this is the final resolution on a zoning amendment process for property at 9772 Waldo Rd.

48:34

That's Lot 1 of Den Biker Subdivision.

48:36

The applicant is TLK Properties represented by iMac.

48:41

So just to recap where we are, we are in the Y and it's a just under 10 acre parcel at the northwest corner of Waldo Road and Hwy.

48:51

93 N.

48:53

The parcel is currently undeveloped.

48:57

The current land use designation from the Missoula County Growth Policy is Commercial Center, and as such it is in the Commercial Center Zoning district.

49:06

However, there is a special condition placed in this property dating back to 2020 that requires the prohibition of basements and elevating structures, and this was placed back in a rezoning in 2019 as a form to mitigate sheet flooding hazards.

49:23

The applicant has requested a zoning amendment to either eliminate or change the condition of zoning and staff has recommended modified zoning condition.

49:39

This comes out of a hydrological study that was done by New Fields.

49:43

They were hired by the applicant to quantify a specific basin of stormwater in a 100 year rain on frozen ground event.

49:52

So this zoning condition as amended would essentially require a stormwater plan to not only handle the the standard design storm for, for the property flow, but also to handle this this off site bays and according to the hydrological study or another method as deemed reasonable during permit review.

50:14

So we don't have a specific plan now to see that, but we would enforce this condition if if approved at at that time of permit review.

50:23

This is a diagram that sort of sums up what I just said.

50:27

So on the left hand side we we have the parcel, there would be standard county on site stormwater review and rain on frozen ground analysis.

50:38

So those would be simultaneous of events that need to be evaluated by an engineer during the actual deep development review.

50:47

Just to recap the process on January 21st, this did go to the Consolidated Planning Board.

50:52

There was a unanimous recommendation to approve this zoning modification.

50:58

There was a resolution of intent adopted by the Commission on March 13th.

51:02

We then published notice of passage of the resolution on March 22nd and 29th that opened an additional comment period.

51:09

We have not received any comments and staff is recommending approval of this final resolution.

51:16

Thanks, Matt.

51:17

Is there any comment on this?

51:21

OK, Questions A motion.

51:26

Yeah.

51:28

There we go.

51:32

Cheryl, can you make that little black box go away with the top there might be here.

51:37

There we go.

51:38

Thank you.

51:39

I move to approve the resolution to amend the zoning condition for the property located at 9772 Waldo Rd., Lot 1 of Den Blaker Subdivision based on the Planning Board recommendation, findings of that conclusions of law and recommended modification in the staff report.

51:54

All right.

51:54

Second, any further discussions or public comment?

51:59

OK, I just had a vote.

52:00

Do I see the.

52:00

Oh yeah, you see.

52:07

Do you have it up there?

52:08

Oh, the actual resolution, whatever the zoning is on the the recommended the zoning modification or the OK, Can you see it there?

52:21

Yeah.

52:23

Do you want to read it again, Matt, just for sure.

52:25

So the the exact text here would be the so we would be retaining the commercial center zoning district and changing the condition title on this.

52:34

The construction of basements is prohibited and prior to zoning compliance permit approval, the applicant must demonstrate that proposed grading, drainage and stormwater improvements will be sufficient to prevent service and groundwater in addition of structures.

52:46

The zoning compliance permit application must contain an analysis and plan prepared by professional engineer in addition to the standard design storm administered by Missoula County utilizing simultaneous off site 100 year 24 hour rain on snow hydrology on file with the county planning office or another technically reasonable methodology reviewed and approved by Missoula County.

53:07

That would be the amended condition for zoning and there would still be the required any sort of Cosa sanitation review as as well.

53:16

Yeah, OK.

53:18

Come on up.

53:21

I'm Kyle Kapster.

53:22

I work for the Missoula County Public Health Department.

53:26

I do sanitation reviews.

53:28

And I was just Elena, as she walked out, kind of handed me a few things.

53:31

And so I apologize, but I said I'd say something to it.

53:35

This makes sense to me if like they're gonna be going through stormwater review, I guess during the sanitation review.

53:39

I guess the thing I would like to mention, I guess from our end is that it's currently out of zoning or it's not zoning, sorry.

53:45

It's out of its Cosa.

53:47

It's not in compliance with its Cosa as far as storm water goes.

53:49

So there was a storm water plan for the property that was changed and and now they're directing the storm water off of the property.

53:58

And so just just wanted to I guess point that out as I speak for I guess Elena and, and, and my manager is Charlie that currently is in a violation.

54:07

That's Cosa.

54:07

I just wanted to put that out there and I, I don't.

54:11

Yeah, thanks.

54:12

Thank you.

54:15

OK.

54:15

And the violation stands and sure.

54:20

So any issues, problems about violations with the Cosa would of course need to be remediated prior to any development of approval.

54:29

So this zoning amendment is really one piece of the overall puzzle towards approving something on on

this property and prior to actually getting building permits, any sort of change to the Cosa or remediation of non compliance would have to be addressed at that time too.

54:46

Thank you.

54:46

And we do have and I appreciate comments from from health.

54:50

We do have a a finding in this report.

54:52

I'm just essentially stating that any sort of other issues with other codes that that are also administered by by the county would have to be solved.

54:59

Thank you.

55:01

So we got a motion on the table.

55:02

Yes.

55:04

OK.

55:04

Any further public comment?

55:07

OK.

55:07

All in favor, Aye.

55:09

Thank you.

55:10

Thanks a lot, Matt.

55:11

Thanks for your comments, Kyle.

55:15

OK, where are we, Hagemeyer?

55:23

All right, thanks.

55:24

Just give me one minute here today.

55:25

Thank you.

55:36

All right, what I'm Andrew Hagemeyer.

55:39

I'm the community and economic.

55:40

Let me try that again.

55:42

Community and economic development director from Missoula County.

55:46

I'm filling in for FLANA.

55:47

This is a Flana project here.

55:52

What what you have in front of us, in front of you today is the the final resolution to create the Y Improvements district.

56:01

The the Y Improvements District.

56:04

Hold on.

56:09

This is part of that overall why water system package that we've been talking about that you've already voted on in different ways.

56:17

So this would create the special district.

56:20

This would allow us to purchase that water system once the developers have completed building it, and it would allow us then to operate and maintain that district over time.

56:31

So if members of the public are curious what a special district is, it's, it's a district that uses assessments on properties to pay for improvements.

56:40

There's a whole host of different types of districts and under statute we're using the special district component.

56:48

So what will this one do?

56:50

It's really designed for operation and maintenance of the system.

56:53

The the the acquisition is being funded through TIF.

56:56

So the this district doesn't actually include a budget for acquisition.

57:04

We've this is actually a typo.

57:05

It's \$100 per month, but the the district will accept not to exceed \$100 a month to the people who connect to it for operation and maintenance.

57:17

It will likely be lower than that.

57:20

We just had to put a do not exceed number in.

57:26

So the district boundaries, it's very simple.

57:28

So if you see this is the Y, the yellow lines on this map is I-90.

57:33

The red line on that map is 93.

57:35

And we've got 2 properties that are not connected.

57:39

One is the Grass Valley Industrial Subdivision and that's on the southern end.

57:43

And on the northern end is the Montana Knife Company and they will be the initial 2 properties in the special district.

57:50

So what we're doing right now is we were, we, the commissioners held a hearing on February 6th with a resolute and they passed a resolution of intent to create that district.

58:00

We sent out letters to all the people affected by that district.

58:04

So the two property owners at that time to see if they wanted to protest the creation of the district.

58:10

And of course, they both said no or, or they did not actually respond.

58:16

So they did not protest the creation of that district.

58:19

So with that, you are allowed under law to move forward with approving the district if you so choose.

58:25

And I have a motion there for you that it's probably poorly worded, but you'll you'll muddle through it.

58:32

Yes, as as I would want to do.

58:35

So I just want to say a couple of things.

58:38

First, thanks a ton, Andrew.

58:39

And I also really want to extend thanks to the folks at Montana Knife Company and to it and to Grass Valley Industrial.

58:46

There was a real infrastructure riddled to be solved here.

58:50

These two companies wanted to go forward, needed to go forward with industrial development in the near future without a water system.

58:59

We could use tax increment financing in our Ted to create such a water system, but not on the timeline that these entities would need to move forward.

59:07

So we teamed up, work together and got really creative and we did a great job of shepherding this project along.

59:13

And the two industrial developers also were super flexible and smart and able to together we're all dreamed up a way where we can make this happen, where these guys are coming up with the costs.

59:24

Initially we're buying it from them, paying for it with TIFF.

59:27

And then as more entities sign on, they pay this not to exceed up to 100 bucks and the costs go down for everybody.

59:33

And we together have facilitated further industrial and down the road, residential development.

59:38

So I'm really excited we could be involved in this.

59:40

I also want to toss out to those who've been watching the Legislature because it's so scintillating that SB 117, which is now passed, everything except for the governor's signature, would discourage such behavior in the future.

59:55

I can go into the details, but it put everybody to sleep.

59:57

But basically what this would do when SB17 becomes law, it would cap revenue we could take collect from newly taxable property.

1:00:05

It was this this law, when enacted made real, would discourage us from running infrastructure to previously undeveloped areas and creating new homes or new industrial areas where we would then be responsible providing services.

1:00:19

But not collecting any revenue to do this.

1:00:21

This is a decidedly anti economic growth kind of action.

1:00:25

But we're bucking that trend right now and being creative with our friends and neighbors and we will have a public water system in as part of the Y.

1:00:33

Thanks for the soliloquy.

1:00:34

All right, I'm going to make a motion I move to approve the resolution creating the Y improvements district to provide for the acquisition, operation and maintenance of a public water system in the Y area.

1:00:45

Enthusiastic second is there?

1:00:47

Juan, did you do public comment?

1:00:50

Commissioner Rivero, I'm sorry.

1:00:51

Did you do public comment?

1:00:53

Yes.

1:00:53

Is there any public comment or further discussion?

1:00:56

Maybe I did this backwards.

1:00:57

I'm sorry.

1:00:58

It's OK.

1:01:03

Crickets.

1:01:04

This is a really big deal and we're really excited that this can happen.

1:01:09

OK.

1:01:09

With that.

1:01:10

All in favor, Aye.

1:01:13

Thank you.

1:01:16

OK, Katie.

1:01:17

Reader John Richards.

1:01:54

Good afternoon.

1:01:57

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

1:02:03

Today I am presenting the Hassan Yeager Minor Subdivision preliminary Plat extension request.

1:02:09

This extension is requested by Mark and Sasha Hassan Yeager, represented by Eli and Associates.

1:02:16

Sorry I missed.

1:02:17

Yes, I I was out of order.

1:02:20

John Richards can relax.

1:02:27

The property is located at 21590 Conifer Drive, approximately 2.3 miles north of French Town Frontage Rd.

1:02:35

The property sits on a bench elevated above 6 Mile Creek about 6 miles South of the reservation divide.

1:02:45

Some project background.

1:02:46

The Board of Commissioners approved the two lot minor subdivision on March 10th of 2022.

1:02:52

The original final plat deadline for the subdivision was March 10th, 2025.

1:03:01

Staff reviews the extension requested based on the Missoula County Subdivision Regulations.

1:03:07

I will go through these quickly change circumstance affecting the timing of the final plat plan submittal.

1:03:14

According to the applicants request for the extension, due to the costs of construction services and materials significantly increasing since the preliminary plot was approved, can the subdivider meet the new deadline?

1:03:29

The subdivider has been actively working towards compliance with the approved conditions and has successfully addressed all but two completion of the private road and the driveway for Lot 2.

1:03:40

The extension request.

1:03:42

The request extension would provide sufficient time to complete these remaining items, allowing the project to meet the requirements for final plat approval.

1:03:55

Validity of the governing bodies decision on the preliminary plat.

1:03:58

If extension is granted, the proposed extension will not modify any previous findings of fact, conclusions or conditions from the original preliminary plat.

1:04:08

Approve approval by the Board of County Commissioners.

1:04:12

No significant changes in the general area of the subdivision have occurred or are expected to occur that would change the evaluation of the preliminary plat.

1:04:22

The disruption of public facilities and services if extension is granted.

1:04:27

We did not identify the proposed extension.

1:04:30

Will not, I'm sorry, we did not identify the proposed extension will disrupt the planning or provision of public facilities and services in the area of the subdivision.

1:04:42

We did send this request out for agency comment, however, we did not receive any.

1:04:48

In conclusion, staff is recommending approval with the motion on the screen before you today.

1:04:53

Commissioners, here is your language.

1:04:55

Thank you.

1:04:57

Is there anyone from Eli and associates who wants to speak to this or the hassenjegers?

1:05:06

OK, any other public.

1:05:09

Oh, yes, go ahead.

1:05:11

I'm sorry.

1:05:11

I'm Mark Kasenegger.

1:05:12

And so with the with subdue life basically as we were working on getting this thing done, it was a crunch to be able to find somebody to put in the road, the road and meet those requirements.

1:05:26

And also the cost is pretty high.

1:05:30

So so that's why the delay that has happened.

1:05:35

Thank you, Mark.

1:05:38

Thank you.

1:05:39

Any other comments?

1:05:42

OK, Is there I'm only just want to say I appreciate the straightforwardness of this and the size of the font.

1:05:47

Thank you.

1:05:50

Yes, All right.

1:05:51

I I would move that the final plat's middle deadline for Hassan Jaeger minor subdivision be extended to March 10th, 2028 based on the findings of fact in the staff summary.

1:06:01

Second, any further discussion or public comment, all in favor, aye.

1:06:08

Thank you, Katie.

1:06:09

Thank you.

1:06:10

OK, now on to Clearwater Meadows.

1:06:17

All right, again, my name is Katie, reader planner with the Office of Planning, Development and Sustainability.

1:06:24

Now, I will present the Clearwater Meadows Ranch Subdivision preliminary plat extension request.

1:06:29

This extension is requested by John Richards, represented by IMEG.

1:06:37

The subject property is located at 13405 Venoi Lane, approximately 1 mile West of Clearwater Junction at the intersection of Hwy.

1:06:47

200 and Blanchard Creek Rd.

1:06:52

Project Background Here is the Board of Board of Commissioners approved the 20 lot major subdivision on July 7th, 2022 and the original final plat deadline for the subdivision is July 7th, 2025.

1:07:11

We're going to go through the review criteria for this extension, change circumstances affecting the timing of the final plat and plans.

1:07:19

Middle, the property owner chose to delay the removal of the mobile homes to allow the tenants time to relocate, which postpone the final DEQ Cosa and road construction requirements.

1:07:35

The Can the subdivider meet the new deadline?

1:07:37

The subdivider has been actively working towards compliance with all 21 conditions of approval and has completed the majority of them.

1:07:44

The two outstanding items are the final DEQ Cosa and the construction construction of the private road.

1:07:50

The subdivider is confident that the proposed new deadline will allow sufficient time to complete both and proceed with final plat filing.

1:07:59

Validity of the governing bodies decision in the preliminary plat if extension If extension is granted, the proposed extension will not modify any previous findings of fact, conclusions or conditions from the original preliminary plot.

1:08:12

Approval by the Board of county commissioners.

1:08:16

No significant changes in the general area of the subdivision have occurred or expected to occur that would change the evaluation of the preliminary plat and the disruption of public facilities and services if extension is granted.

1:08:30

We did not identify the proposed extension will disrupt the planning or provision of public facilities and the services in the area of the subdivision.

1:08:41

We did send this out for agency comment and the floodplain administrator noted the final plat must demonstrate compliance with the condition requiring mapping of flood hazard area.

1:08:55

In conclusion, staff is recommending approval with the motion on the screen before you today.

1:08:59

Commissioners.

1:09:00

Thank you, Katie.

1:09:02

Is there anyone from IMEG, Michael Maine or anyone else from IMEG or oh, sorry Paul.

1:09:13

Oh, I'm sorry, Michael is online maybe, but I think John Richards is here.

1:09:17

Yes, I do you want.

1:09:20

Come on, John, do you want to add anything finally?

1:09:28

That's my hope.

1:09:30

This subdivision was originally proposed in 2006 and that's how long it's been trying to get it approved and done.

1:09:40

Thank you.

1:09:42

Thank you, John, can I go ahead?

1:09:46

So, Mr.

1:09:47

Richards in in what way has the county held you back?

1:09:54

What way have they not?

1:09:57

It's been a knock down, drag out, tooth and nail fight the whole way through.

1:10:05

Every time I propose something, they would come up with reasons why that won't work.

1:10:10

And now we're at the point where we've got a plat, we've got it approved.

1:10:19

All there is, is dot the IS and cross the T's basically.

1:10:23

But you're asking to extend.

1:10:25

Yes, the extension is to be able to do it timely because of the road construction and finishing up.

1:10:35

We we've surveyed all the lots, all the pins are in the county surveyor has to check them, but they're we're getting really close and I wouldn't anticipate it to need another extension after this one.

1:10:57

Just to be clear, this extension isn't because county staff hasn't held up their end.

1:11:02

No, no, I didn't.

1:11:04

I'm not saying that it sounded like that's what you were saying.

1:11:07

OK.

1:11:07

No, I'm talking about from 2006 until now to try to get the subdivision done.

1:11:14

And it's it's not that the county staff was purposely trying to hold it up.

1:11:20

It was just all the regulations and all the requirements for the subdivision.

1:11:27

Maybe it was globally because this has been a few iterations, but this final iteration is yes, every we're moving forward.

1:11:37

You've asked for an extension because you had to move folks off the property and get the road in, right.

1:11:42

And this will work in the process of removing the trailers.

1:11:47

Hopefully the last two will be gone today and tomorrow.

1:11:52

But to be clear, that's on you, not on the county, correct?

1:11:58

Thank you.

1:12:01

Any any other questions?

1:12:04

No thank you.

1:12:05

Thank you.

1:12:06

Did you have a motion or or is there any other sorry any other comments and I can't see anyone online but OK.

1:12:20

But I move that the final plat submittal deadline for Clearwater Meadows Ranch subdivision be extended to July 7th, 2027 based on the findings of fact in the staff summary.

1:12:30

Second, any further discussion or public comment All in favor.

1:12:35

Aye.

1:12:37

Thank you.

1:12:40

OK, sounds up.

1:12:41

Final comment.

1:12:43

Oh, sorry.

1:12:44

Go ahead.

1:12:45

Yes, thank you.

1:12:46

Thank you.

1:12:47

You're welcome.

1:12:48

I appreciate you guys working with me and let's get it done.

1:12:52

Will do.

1:12:58

OK, Ready.

1:13:01

Go ahead.

1:13:01

One more.

1:13:03

Thank you for hanging in there with me.

1:13:06

All right now, my name is Katie Reader.

1:13:08

I'm planner with planning development sustainability.

1:13:11

Right now, I'm presenting A boundary line relocation exemption requested by Sun's Up LLC, represented by Wyeth Engineering.

1:13:19

I want to note that boundary line relocations don't generally come to hearing, but this one is involving 6 tracks.

1:13:29

Great.

1:13:31

The property is located at 3614 Highway 200 E in East Missoula and is approximately 2.1 acres.

1:13:41

Here is a configuration of the existing conditions on the property.

1:13:45

The property owner is wanting to do some buildings, build new buildings and kind of revamp the the lot and the property lines existing will not work for what he wants to do.

1:13:59

The zoning and land use designation for the property is Neighborhood Center, intended to support a mix of residential, neighborhood services, offices, retail and institutional uses.

1:14:09

The recommended residential density is 8 dwelling units per acre or more with required connections to public sewer and water.

1:14:17

Commercial and mixed-use developments may include small businesses up to a grocery source, Excuse me, up to a grocery store sized anchor.

1:14:34

Yeah, sorry about that.

1:14:35

The project was sent out to various Missoula County agencies.

1:14:41

Kyle from Health commented commented the property will need to go through sanitation review or applicable exemptions since the parcels are less than 20 acres.

1:14:51

And Kevin Heisler from building noted the encroachment of the proposed structure on Lot 3 in the southwest corner is 5 feet or less, which triggers building codes related to fire separation.

1:15:02

The applicant will either need to adjust the that corner or they would need to have fire rate the.

1:15:08

They would have to fire rate the wall closest to the property line as well as not soffit vent the roof.

1:15:19

In reviewing this request, there was two general evasion criterias identified to possibly indicate evasion.

1:15:27

However, this is the most appropriate exemption to use for what the the the developer wants to accomplish.

1:15:34

Therefore, we do not identify this as evasion and recommend approval.

1:15:43

And here's the language for you today.

1:15:45

Thank you, Katie.

1:15:50

Is there anyone from which agency?

1:15:55

Sorry, wait, wait, sorry.

1:15:58

Come on up.

1:16:07

Oops.

1:16:07

I think you just turned it off.

1:16:08

Yeah.

1:16:09

There you go.

1:16:10

I'm Mike Shaler with Voith Engineering.

1:16:15

Is there any questions?

1:16:17

No, I didn't know if you have anything to add or nothing to add.

1:16:21

Feels pretty straightforward.

1:16:22
So great.

1:16:23
Thank you.

1:16:24
Thank you.

1:16:26
I would move that the request by Suns Up, LLC to utilize the relocation of common boundaries on a property located at 3614 Highway 200 E be approved based on the findings and conclusions in the staff analysis and as presented in the exemption application and affidavit.

1:16:43
Second, is there any further discussion or public comment?

1:16:48
OK.

1:16:49
All in favor, Aye.

1:16:51
Thanks Katie for your work on these things.

1:16:53
Thank you.

1:16:53
Yeah.

1:16:57
There any other business before us?

1:17:00
OK.

1:17:01
Awesome.

1:17:01

Have a great afternoon, everyone.

1:17:03

Thanks Juan.

1:17:04

Thank you.