

LAKE COUNTY PLANNING BOARD

May 10, 2006

Meeting Minutes

MEMBERS PRESENT: Bob Kormann, Jack Meuli, Steve Hughes, Fred Mueller, Jerry Winkley, Clarence Brazil, Ken Miller, John Fleming

STAFF PRESENT: Sue Shannon, Joel Nelson, Alex Hogle

Bob Kormann called the meeting to order at 7:00pm

BOB: We will call the meeting of the main meeting of the Lake County Planning Board to order. I am the Vice Chairman of this. The first thing that we would like to do is approve the minutes for

JERRY: You are saved by the bell (John showed up)

JOHN: Saved by the bell. Ok the first item on our agenda is Whispering Willows Minor Subdivision. We are making a recommendation to the current County Commissioners. They will act on this proposal on May 31 and we will go through the process of Staff presentation, Board questions, Developer comments or presentation and Board questions and then we will open it to public if there is public comments, we will take them at that time and then we will close it for Board action. Alright, Joel

WHISPERING WILLOWS

JOEL: I should remind everybody that the (in audible) Minor Subdivision was withdrawn for this month. So most likely it will be heard next month. And I will start with the Whispering Willow Minor Subdivision. (Joel reads Staff Report)

JERRY: Lot 2, are the utilities available underground or what is the status?

JOEL: What is that?

JERRY: The house that is under construction on Lot 2, what the status on the utilities, underground or otherwise?

JOEL: Underground

JERRY: It is already underground, it is underground?

JOHN: Any other questions? Ok, Developer or Mr. Carstens, do you guys have any comments or will you add, will you answer questions if the Board has any?

MAN: I believe that we do have a comment to make and then we will answer questions.

LYNN: There was a concern about moisture in the ground at the property so we dug another soil profile and this is a result of the soil profile. If there was any concern about that. So, this is just a copy of what we found. Basically she dug down eight feet and at eight feet there wasn't water in the whole. There was just a tiny bit of moisture so we just wanted to share that with you in case there were any concerns about that. If anyone has any questions.

STEVE: Jim I had a question of the Developer. Based on the language and whatever it was on the number sixteen, obviously there is a map change if they plan on doing more subdivision?

MARC: Actually what happened Steve is that we had originally anticipated a five-lot division using some cluster uniting and the lot size in order to do a cluster unit with a conservation bonus

as you know needs to be in a two and half to three acre range. That was inconsistent with the desires of the land/owner/developers so we have dropped back to four lots which don't need any cluster conservation. The accountability, I do not believe that this particular developer is interested in further development but they certainly not indicated to us that was in their future.

STEVE: But obviously with the language there, that is the potential.

MARC: I think that is probably stock language that the Planning Staff is using.

JOHN: Is it? You are not relying on any bonus, so that I understand that is the standard. If you relied on the bonus then we are treating that differently then saying you got your benefit now so later on you wouldn't get a further subdivision.

MARC: This is the standard (in audible), standard density (in audible)

JOHN: Ok, I understand

STEVE: So do I. I just asked the question for clarification.

JOHN: I know the Commissioners are working on that angle too. That little, that item. Are there any other questions for the, we are going to do comments later Janet. Any other questions for the Developer? Are we ok? Can we go on? Ok, we will open it to public comment and will you stand and identify yourself. Janet I guess you are first

JANET: I have a question. When we met with the County Commissioners last fall they said that they would ask all developers to get a cultural clearance from the Tribes. Was one received, a cultural clearance from the Tribes?

MARC(?): I don't think that was part of the Pre-Application process. We didn't request one.

JANET: I am just wondering why that is not part of the Pre-Application process when all three Commissioners agreed to that in our meeting in November when met on Elmo.

WOMAN: I didn't hear that (in audible)

JANET: I heard it and I mentioned it before, so that is just something I'd ask you to be looking for in your packets and also with regard to the wetlands, with the developer, I couldn't quite tell when Shawn or when Joel, I am sorry was reading, I am sorry Joel, you said that you would require that they obtain all applicable Tribal permits when they are developing, so that would include a ALCO permit should they be affecting the wetlands? Ok, I just wanted to have that clarified. And I apologize because I was not able to get this packet out to Staff, my mother-in-law has been ill and I have been ill, so I had not any time to get to work on this but, councilmen might, I have no brain after being sick, I think it just rotted away. Lloyd is here, he has a comment. That was all I had to say.

LLOYD: I don't only have a comment.

JOHN: Introduce yourself sir

LLOYD: Lloyd Irvin from Pablo and I am the owner of the property that you are talking about and I also sit on Tribal Council. I was not aware, this is the first time I have ever done this so bear with me. I purchased the property in November from Niegards. If I had known these developers were coming along I would have never bought it. The only reason why I bought it because of the historical values of the people that I bought it from. I wanted to maintain that and eventually I was going to try to purchase the land around that place to protect it from this type of thing happening. And without us knowing it, the next thing I knew there was something going on next door. I did not know that there was going to be a development process in place at the time I purchased that property and I own that eighty acres (in audible) in the corner there, next to Linton's place and this project surrounds me. So I am concerned. Not only with the water table but the fact the thing that she was also mentioning in this, this is the type of process that I have been there for eighteen years and this is the type of thing our policy kind of steers from. That's

why we try so hard to maintain the, not only the value of the land, but the best view of our land, like we do in Mission Range and everything on the Reservation and this is why Kathy and I wouldn't move forward in the first place. I want to ask too, what is the deadline for a written comment, because I've got to put some of this in writing as well.

JOHN: Lloyd the Commissioners are going to act on it on May 31st. So I guess Staff could maybe answer that too.

LLOYD: Could I get you a written comment?

SUE: We typically give the Commissioners that Report prior to that meeting.

JOEL: It was May 19th

LLOYD: May 19th and by 19th I will give it to you then, at that night, Kathy's got a comment as well

JOHN: Thank you Lloyd

LLOYD: You bet

KATHY TAPIA: My name is Kathy Tapia and Lloyd and I purchased this property together in November. We have been looking for land for the last couple of years, Lloyd is on the Tribal Council from Pablo. We both sold Lloyd sold his grandmother's allotment and I am selling land in Dixon to pay this place off. This has been our dream to buy and old place we and we knew these people, we knew their grandparents and I know that this farm was one of the original allotted plots on the Reservation and we have been reading some of the history about it. Mrs. Nygard was telling us this is like her grandmother's place. So, one of things that we had talked about was buying from these people, maybe some more the land once we figured out how much we were going to get on our property. We are very upset cause we had no clue that this was happening. About two months ago and we were, we bought this in November but the Nygard's have been building a house here in Polson, so we just let them stay there until they were ready to move and we were going out and getting our mail on weekends. And one weekend, Jerry said, oh they are building behind the barn. But he wasn't real sure what was going on. Nobody even had let them know and his daughter has a home adjacent to the old farmhouse. They split the ten acres into I think it is, yeah his daughter has the two acres which is the house on Linton, Linton Lane and they didn't know from what we had been told that this was happening. They are now putting their place up for sale as well. I think about the snow Owls every time we go out. The Snow Owls are in that front pasture and we had two barn owls that had babies up in the trees right in that area that you are talking about. We have seen fox, with babies and I am wondering what affect this is going to have and have to these. Every time we go out there, that road breaks up worse and worse and right now it is like a dirt road. I am thinking, anymore people out there, what the heck is going to happen to the road if we don't take care of that either. The other night we were out there and we had been slowly moving some things in and we share a well with the daughter. I turned on the kitchen faucet, we were filling a fish tank and there isn't very much pressure. Now our well is at four hundred feet and I doubt if that crusher is even going to sprinkle you know set a sprinkler out in our front yard. And they said it was adequate for those two people. But I am wondering now how much water is there actually out there and how they are going to supply for more people, for more families. So I am hoping you guys really look into this. I mean even though we are upset cause there is more people moving in, but I think there might be something with the water. That is all I have to say. I mean we feel like we have been duked, but it is some place that we love and we've put our everything that we have into and we are going to stay I guess and put more trees or grow more trees or something. I am wondering because we have the water, the ditch it is on the inside of our fence line, how is that going to

affect our ditch around, it goes all the way around our place, is that going to effect our water rights on that ditch? Cause that is the only one that I have seen out there.

JOHN: We will ask that question.

JANET: Ok

JOHN: I don't know if that can be answered, but

JANET: We had talked about putting some horses out there and I thinking my gosh are they are going to take the water now. So, that is all I have. Think about it. It is really scary.

JOHN: Thank you we will. Is there anyone else who would like to comment. Yes sir.

DAVE BICK: My name is Dave Bick and I control all the agriculture property to the west of this proposed subdivision. I own eighty of it and I lease eighty of it. I have concerns with the irrigation systems because my diversion point is right in the northwest corner and currently it is, it has been adequate. Russ Sherman used to own that property and he and I could always work together and figure out who was going to irrigate when and to make it work. When you add five more people and I say five because this is showing four and in the Certificate of Survey it also includes another forty-acre parcel down there. So I feel that this subdivision is actually creating five parcels. I don't know exactly all the legalities of it and what is recorded for deeds or anything but I think there is another forty-acre parcel that is included with the Certificate of Survey. So, my number one concern is the irrigation. I wanted to compliment the Developers for, I got a long list of comments that I wanted to make but most of them are addressed in the proposal as far as pets affecting livestock, fence line certain things like that, but the irrigation is still a concern because I haven't seen the complete plan and I don't know how it is going to effect me. It is currently flood irrigation and when that property was flood irrigated it was a flood irrigated portion of my property that my center pit won't cover. So if flood irrigation is removed then I've got to come up with a new way to irrigate some of my property, so that is a concern. The density issues, I don't think (in audible) I understand all that and that is great. It includes the guidelines. I think that is great. I am kind of troubled by, I think the owners maybe have decided that this subdivision is already approved. Because it doesn't show on these maps any place but they are currently building what has been referred to in here as a home but it is a barn. I have been told the barn was living quarters. That has already been started on Lot 2. There is a road going in, I believe on Lot 4 that comes all the way back here to this, this other parcel that is not shown there. So the road coming in that is not shown on the subdivision that you depending on how many people is going to serve that I don't know if it is up to the right standards. Then I see the water well locations and septic doesn't match where the drill rig is sitting. There is already being a well drilled for Lot 2, which doesn't surprise me, cause I know some of the well drilling contractors don't care about where they are supposed to be and they just drill where ever it is easy for them to set up the rig and that kind of looks to be the case on this one. I mean they are proposing a subdivision and showing this is where we want to put the wells, you should probably put the rig there and the well there. So there is some activity going on there that appears to me that regardless of what they want to submit, they don't want to follow it. So, how many of the rest of these regulations that they think are well written and if followed, I have no problems with. It is not gonna, I mean, when they were written, they were written to kind of protect me as the neighboring land owner. But are the owners going to really follow, I guess is my question. Because I don't do a lot of public speaking, I get nervous and forget half of what I wanted to say, so you are in luck

JOHN: Thanks Dave. Yes sir

PAUL HUNSUKER: My name is Paul Hunsuker. I live just one-half mile down the road there. I have property on the Rancher there. I agree with many of the concerns today brought up there. Why are they already building when it hasn't been approved. Why are there well and roads going in when it hasn't been approved. The neighbors need to know about it. I live a half mile away and I didn't know anything about it going on. As far as the water table on that property. I have property a half mile from there. I was digging fence post holes down two feet and I hit water in my hole. I don't know where those guys dug their hole eight feet deep but must have been a pretty high spot. We get a lot of moisture out there, so there is some questions there. Some other things, to the Planning Department or the Board, I don't know who sets, puts the articles in the paper, the Legal Notices, this is the second one that I have been involved in, close to me and the times and the places have always been messed up. From the Polson property a year ago, they sent me a note and it was the wrong time and the wrong place they had the location wrong and everything else and I would like to see you be a little more careful in that regard and getting the times and places and the properties in the right place when you sent out your notices.

JOHN: Paul give me the times and places of this meeting.

PAUL: Of this meeting, yes

JOHN: OK. Any other comments.

MARC: If I may, I have gone without speaking against it thought if that is ok.

JOHN: Are you part of the public?

MARC: I am part of the public, though I would like to thank you. A lot of concerns and we share them as well. The information about the well rig being in the wrong place is kind of disturbing, but we will certainly investigate that. We will probably have to modify our plans to fit where the truck got parked. They don't always, you are right, they don't always drill where they are supposed to and that causes us grief. As far as the ground water, we are concerned about it. That is why we voluntarily decided to do groundwater monitoring throughout the irrigation season. If it fails in that, then that Lot fails, that is just the way the rules are and we have to look at those. We do our soil analysis on higher ground. We will have to plead guilty to that. We don't like to attempt to put drain fields where we think they will fail. We try to pick the most likely place and many times that is on the higher ground rather than the lower ground. If you take a careful look at the track record, I think the Planning Staff will bear this out with me, this forty acres down here is in fact an individual tract of record. It is not attached to this seventy some acre tract. So we are not really creating a fifth lot, even though it may appear that way. This forty acres though does not border any County road, so yes there is going to have to be some kind of an access road through each data. Should the developer become successful and market these properties, that is why the road is basically going where it is going. As far as the concern of the dwelling or barn or whatever is being built, if this fails, if they walk out of here in to the next meeting and it is a no go situation, that still doesn't take away the right of the land/owner to build something on his property. If he started two or three houses and had three basements for it, oh, yeah that is a problem, but where he is just working on one, I don't see that as a problem. If the division goes forward successfully, it is part of his scheme. If it doesn't go forward, he does have structures already started he wanted anyway. I wanted to clarify, I believe Mr. Irving please correct me if I am wrong, I don't mean to put words in your mouth our anybody else's, but I believe that the property that you have is probably this portion outside of the corner, not really here and I think there is two in there. Isn't there two lots in there?

LLOYD: No, just the one

MARC: Ok, so that is the adjacent property. You got me kind of excited when you first spoke, sir. I thought it sounded like you owned the property we are trying to divide and that is always embarrassing.

LLOYD: That we were looking at. We (inaudible) panned out.

JANET: We wanted to buy some more of that out in there, eventually if that folds, huge but

MARC: I tried to do that too. I know how you feel. Honestly I do. As far as the irrigation goes, the irrigation plan does need to be approved by the County Commissioners. There are some things to work out. This irrigation plan cannot remove irrigateable rights of any other neighboring land owner. It cannot remove any points of delivery or any facilities from any neighboring land owner. We just can't do that. The ditches are an easement underneath the Flathead Irrigation Project and there will be documentation to that effect on final plat platting to perpetrate that. I guess unless there is any other specific questions, jog my memory if I forgot anything, but I kind of think those were the concerns I wanted to visit about. Thank you .

JOHN: Thanks Marc that does help I hope. Are there any other comments from the public? Dave, I let you go once, but if you could go quickly

DAVE: I would like to clarify one issue. I am a Water Well Contractor and I do drill wells where they are supposed to be. The driller that is on this job, is not even licensed to drill. He shouldn't be there. The land owners that own the land can see my drill rigs from their place. They probably should have contacted me if they didn't want conflict to bring in that competitor that doesn't do things by the book. I think it would be advisable to check out your neighbors before you propose a subdivision and that might have alleviated the concerns with them also. You know I really get concerned about whether or not these people are coming in to be neighborly. It doesn't appear that they are and so that brings me back to my concerns with the irrigation system. I would be happy to, I mean I am not trying to stop this or anything, I believe it is every land owners right to do what they want with their land but I don't even agree with the density map, but this is right in my back yard and so rather than fight it, I would rather than my new neighbors be neighborly and come to me and say, hey this is what we want to do, is it going to affect you and if it is, is there someway that we can make it so it works for both. I don't want anybody to think that I am here bad mouthing Water Well Drilling, cause for one I would be selling myself for two I don't want anybody to think that I am here trying to stop it or stop anybody from doing as they please with their land, but it is my neighborhood I would like to be involved or I would like for them to ask me to be involved. I guess that is it.

JOHN: Thanks Dave. Part of our job is to make sure we mitigate as many of these concerns as we can. Marc?

MARC: As a possible condition, should this move forward, I would like to recommend that the irrigation prior to filing, actually Steve's review of the neighbors, both Mr. Irving and Dave prior to final plat as the plan developers. It sounds like there is some shared facilities, some shared areas, some shared turnouts and as the irrigation plan for this thing develops, we would share those with these folks.

JOHN: Ok. Janet?

JANET: I was wondering if you could request a cultural clearance be done? I didn't get an answer from you, but Marc when Tami was in my office this fall she said that you guys would be getting clearance within all your projects. As you are employed by the Tribes also

MARC: Yes, that is. I don't know what transpired between you and Tami, that sounds like something that we would intent to do, yes. Unfortunately, in the crush of events, we rely on Pre-

Application and (inaudible) see if it was missing there, but we would accept that as a condition as well.

JOHN: Ok. Thank you, cultural clearance. Janet what does that entail? Just does the Board

JANET: I gave Sue a packet with forms and a cover memo about a year ago. Basically what it is, the Tribal Historic Preservation Office is the Historic Preservation Office for the Reservation. The State has agreed that the Tribes have jurisdiction over historic and prehistoric resources here. So, Wayne Lefthand and I believe Tami have copies of these forms. Wayne Lefthand with that office will go out and he will actually look at the site, make sure there are no artifacts, he will do a historic review, check old documents to see if that site has been mentioned in the past, talk with the elders, make sure there is no cultural significance with that site and then they have three different levels of clearance. One is clearance with no conditions. One is clearance with usually to notify that office prior to excavation if there is the possibility there could be artifacts on that site then they like to be there to monitor during excavation and then the third option is no approval and that is very rare. I have never seen, I have only see one in seventeen years, that was not approved.

JOHN: Janet it is your understanding that the Commissioners have agreed to

JANET: Yeah that is my understanding from our meeting in the fall regarding the Elmo Condominium project. I had it in my notes.

JOHN: Ok, well it sounds like in this particular situation that the Developer has no problems with that, then I think you guys probably better check back and make sure that the agencies and the organizations are on the same page. Thanks Janet.

JANET: Thank you

MARC: Janet does that cost the land owner?

JANET: Not at this point. It is a free service right now.

JOHN: Ok, thank you Janet, thank you Marc. Any other comments from the public. Any other comments? We are going to close it to public comment and go to Board action, discussion and action.

STEVE: Mr. Chairman I have a question regarding the irrigation plan. Usually Marc if I can ask a question Marc. Mr. Chairman?

JOHN: Yes, yes, Steve

STEVE: Can I ask a question Marc? Usually when you come up with a plat you have the irrigation canals outlined and it is not done on this one. Is there a particular reason? Not on the one I have.

MARC: No Steve I don't have a particular reason for that. If it is not on there, it should be and it.

STEVE: When you have the main line instead of (inaudible). You talk about the delivery points are they established delivery points for the project now?

MARC: They are on their maps

STEVE: That is not what I asked you

MARC: One is. I am uncertain of the other at this time.

STEVE: Mr. Bick's problem, is that, is your delivery point on this piece on property or is it on your own property?

MARC: I would like to ask the surveyor that cause I don't honestly know, it is right in the corner. If the fence line is in the right place it is on their side. (inaudible) fence is out, they are ours. So I think it is on my side

STEVE: That is something we would clarify and we need to give Dave an easement to access it, we will give him an easement. I have one other question. Marc have you been out there recently?

MARC: No sir. Not in the past month

STEVE: This construction that is going on and the road grading, you have no knowledge of that? My concern is that there are people are here asking us questions about stuff that is occurring and we are supposed to be approving a subdivision. It looked on the face of it last, this morning at two o'clock, you know like it was ok. Then these questions come up you are building stuff, you are putting roads in and the well drillers are there already and it hasn't even been approved yet.

MARC: Well I knew that they were building. I knew that they had applied for a septic system through County. I knew there was discussion about building road. I didn't know they had started with that. But as I have mentioned before, even if this fails, don't have they have a right for a building on this seventy some acre property?

STEVE: Well if they have the proper permits I suppose they do.

MARC: I believe they have been going through the permitting process. I don't believe that

STEVE: You asked me a question I am not qualified to answer.

JOHN: But Marc, excuse me can I ask, I am going to stay with what you are talking about, can I ask him a question about that?

STEVE: You do what you want Mr. Chairman

JOHN: What you are saying then is

STEVE: You guys don't really do what I want to

JOHN: What you are saying is that he has not gone into any, he has not done any activity that would require the subdivision to be, to go, I mean that would require this project to be approved. He has not done anything that he couldn't do if this did not exist.

MARC: To my best knowledge that is a correct statement

JOHN: That is really is a concern of ours. I mean it really is irritating us to see a project and know that things are already happening.

MARC: I advise every, every client that comes in through the door not to try to prejudge this or any other Board.

JOHN: I know. We are closed Dave I am sorry. Any other questions?

MAN: I have a question, can you clarify for me the notice procedure. I often am alarmed when I hear these things from neighbors that

SUE: In this case there was a error at the Leader. Their staff is, we sent all of our legal notices, we fax it to them and when they typed it up they left out one of the subdivisions and left out the subdivision and then messed up the other subdivisions.

JOEL: They entitled this one Horizon Heights and left out the text from Horizon Heights and the title for Johnson Subdivision.

SUE: They are supposed, it is we are under a time line, that we have to get it in by noon on Friday and then they send us a proof. Then we got it in on time, they never sent the proof and looked at it the next week and we realized there was an error. I called them up right away and because the way the legal notice is done, we couldn't get it in until the next week in order to have our fourteen days prior to this meeting. So we had to redo the legal notice that the public hearing would be held at the Commissioners hearing.

MAN: Is there notice sent out to the adjoining property owners?

SUE: Yes

MAN: This gentleman

SUE: He is not an adjoining property owner though, he said he lived a quarter mile down the road.

STEVE: (inaudible)

JOHN: Mr. Hunsucker

SUE: Mr. Hunsucker

JOHN: Mr. Irving is an adjoining property owner. He said he didn't get

(Several people talking at once)

JANET: That barn went up about three weeks ago and it is just right behind our barn. How many feet do they have to be away from our property line?

JOHN: Ok, ma'am I am sorry, we are closed to public comment right now. I am sorry.

SUE: It is something that we try to talk to the Leader about trying to establish a better way because it really impacts our process and

JOHN: Do you think it was material to what people should have known

STEVE: Absolutely

SUE: (inaudible)

JOHN: Well then can we go ahead with the project?

SUE: Well tonight is not the public hearing. The public hearing will be held

JOHN: With the Commissioners

SUE: At the Commissioners

JOHN: So there is, there is, the notice is out there long enough for the Commissioners to act?

SUE: Yes

JOHN: Ok. So are you saying it is ok for us to go ahead and act even though notice, Steve go ahead I can tell you have a question too

STEVE: I do have a question for Staff. Sue this Janet, sent you a letter a year ago about cultural review.

SUE: Well that was, has been discussed on and off a couple of times. I got the impression from the Commissioners that they didn't want (inaudible) a condition for every subdivision. That you know maybe in some certain circumstances it should be a condition, but they felt that for every single subdivision is might be too much to add. That is what I got based and you know of course Janet now is saying that she didn't get that same message, so we need to meet with the Commissioners and find out.

STEVE: So, who picks and chooses between what subdivision should be reviewed for the cultural status?

SUE: Well, I asked at that time if we could get some sort of map of on the Reservation of like areas that may have some historical significance and we could try to pick and chose that, but I am not qualified to do that for the Commissioners

STEVE: No would I be. I would think that the people that are trained would be better trained than you.

JOHN: Comment? We are open for comments and questions and we need to take action

STEVE: (inaudible) Mr. Chairman.

JOHN: You bet

STEVE: I think we should deny this application, that is my comment

JACK: Why?

STEVE: Well, you have not done the process right. If they are out there building roads, they must have got a permit to have an approach from the County road when they cross the property or they didn't, one of the other

MARC: I knew there was conversation on the road, I don't know if it is construction. Obviously

STEVE: There are well drillers out there putting a well in. Because it hasn't been approved yet, even the lot hasn't been approved. I would think you would be concerned about that.

JOHN: But again Steve you can put one well on a lot they already own. There is nothing wrong with putting one well in. If he was drilling four wells, there might be an issue.

SUE: And they do have sanitation approval. It has been through sanitation.

STEVE: This subdivision?

SUE: No for the development of the parcel at (inaudible)

STEVE: Lot 2?

JOHN: It is a seventy-acre lot.

SUE: Seventy acres, right

STEVE: I am confused

JOHN: Ok, any other comments? Will someone make some proposal for action here? We have a recommendation from Staff and we have some ideas of conditions. How are we on those?

JACK: I'll move that we move to approve the subdivision with the Staff recommendations and with two additions, one that the irrigation plan be shared with the neighbors and another that they meet with the Cultural Committee as long as, I am not sure that is the right wording Sue, but you get what I am after in this particular case. I think we can get away with (inaudible)

KEN: I will second that

JOHN: Ken? We have a motion and a second. Any other discussion? The second call for question. Questions have been called for and you have heard the motion. All in favor of the motion signify by raising your hand, opposed?

Motion Jack Meule, second Ken Miller, to recommend approval of the subdivision with staff recommendations and with two additional conditions: 1) The irrigation plan be shared with the neighbors, and 2) The applicant meets with the Cultural Committee (with wording for this condition to be provided by Sue.) Motion carried, 6 in favor (Ken M, Clarence B, Jerry W, Jack M, Fred M, John F), 1 opposed (Steve H) and one abstained (Bob K).

JOHN: Ok thank you. I want the people that commented to know that there are a lot of reviews that go on in the Department of Environmental Quality and lots of others that happen and we basically this Board, basically has some constraints that we have to, we have to stay with when we are doing these. If we know that they don't make anyone, everyone happy but we try to mitigate impacts as much as we can. So, thank you very much for your comments and they are listened to. We are down to Horizon Heights, up to. Same procedures, this is, this is a major subdivision. We held our informational meeting last month. The Commissioners, will, this is a meeting, public hearing and we will ask for public comment on this one too. And the Commissioners will act on this on May 31st at 10:00 a.m. and they are required to take final action. It will take final action at that time, I imagine. So we are going to go through our regular procedure of Staff Report and so forth.

HORIZON HEIGHT MAJOR SUBDIVISION

JOEL: Alright this is the Horizon Heights Major Subdivision. (Joel reads the Staff Report)

END OF TAPE 1 (SIDE A)

TAPE 1 (SIDE B)

TRUDY: I want you to know we are trying to get there too, so. Any questions?

JOHN: Anybody have any questions?

JERRY: I would like to comment. I did not say to open that emergency road. I just said to leave an easement in place. I have no problem with twenty foot really as far as sixty foot so, it just seems that there should be a provision if conditions change. There would be a place for it.

JOHN: Trudy do you have any, I am sorry Jerry. May I ask one if you are done? Do you have any idea how much less the system would cost if you didn't have to do that outside?

TRUDY: We haven't had it re-bid. So we've got two contractors that are waiting to bid it if they can get St Ignatius to acquiesce on some of their conditions.

JOHN: The big issue though is the sewer, not the water

TRUDY: I agree. The big issue is sewer. I would love to be able to hook onto City sewer. That would be our best case scenario.

JOHN: Thanks Trudy. Any other questions? Thank you. Anybody else from the Developer want to comment, did you want to?

JILL: If sewer is an issue, maybe could I speak to that for a moment. I am Jill (inaudible) with (inaudible) Environmental Consulting and we are designing the public waste water treatment system along with Osprey Environmental Consulting and what we are looking at right now is individual septic tanks for each of these lots which will provide the primary treatment and then the (inaudible) gravity flow into they are called advantex (inaudible) but they are basically a series of filters that filter out the (inaudible) additionally and pump that into a sand line drain field. This advantex unit.

JOHN: The Board can't hear you. They are the people that have to make this decision. We have a mic over here

JILL: I can speak a little louder.

JOHN: Ok

JILL: The advantex units that will be incorporated into the system provide Level 2 treatment which is then brought up, but that Level 2 treatment which I would like to comment is actually not required to do for the subdivision based on the results we have for nitrates and phosphorus. But the Developers and the Owners are willing to do that to protect water quality in the area but the Level 2 treatment will do a number of things. One it will reduce nitrates. It will also decrease the biological oxygen demand and the suspended solids which might not mean much to a lot of people, but it will increase the life of the system and it will also provide additional treatment to make sure pathogens and other harmful chemicals don't enter and proceed downgrading it from the drain field. As Marc mentioned these Level 2 treatment systems are monitored so there will be someone, they have radio telemetry actually that monitors a lot of it but someone from the Oranko (sp) System that manufactures them will actually come down and monitor the systems to make sure that they are operating properly and also the other thing Level 2 does is it increases

the total life span of the drain field which I think is a good thing for everybody. You know if you are not monitoring the drain field everybody knows they have life spans. They don't last forever and in this case to monitor it and to also potentially increase the life span of that drain field is a good thing. I think that Level 2 treatment here is going to protect the aquifer adequately.

CLARENCE: Question, what is the life span of this?

JILL: Well that is the million dollar question. I don't, I can't answer that. You know you hear a lot of numbers thrown out there. The standard drain field might be you know ten years. It might be thirty years. People have cesspools that have been in operation for fifty years that are working just fine. There are sand and gravels in this area and we do want to sand line this drain field so that it provides that extra filtering before it gets to the aquifer. The ground water isn't incredibly deep, it is only twenty feet or so, so we need to make sure that it is filtered properly. But with that sand and gravel also you don't get a lot of clogging up like you would with clays. So, it probably could last quite awhile. The key is to filter it out before it gets to that sand and gravel.

JOHN: Go ahead Ken

KEN: Yeah once I put the treatment systems that the Tribe have currently for their housing and they are a Level 2

JILL: I believe it is the lagoon system across the highway.

KEN: I haven't been there so I don't know

JILL: It is a good question. I think, I think if you look into it a lot you could probably make an argument that Level 2 treatment here might be a better treatment system than a lagoon system. I don't have the numbers to say that for sure or not, but you know.

JOHN: I have a question. This system as you are designing it, if hook up to the Tribal sewer system became possible later, could this system be hooked up without major redesign or refitting? Could you just quit going to that area in turn and run it

JILL: Yeah, it is going to be such (in audible) there is enough drop here to gravity flow everything down to this area. This is right here next to St. Mary's Lake Road is where the system all drains to and then it is pumped up to this drain field

JOHN: So this wouldn't preclude hooking up to a sewer system later?

JILL: I don't think so.

JOHN: Would these, would these individual lots have as, you said they are going to have septic each other, individual septic tank, is that what is required in town?

JILL: To hook up to the City?

JOHN: No. I mean what does an individual house have in the Town of St. Ignatius or Ronan or Polson?

JILL: Oh, I think they just go right into the treatment system without the primary.

JOHN: Ok

CLARENCE: (in audible)

JOHN: Grind the sewage?

CLARENCE: Grind the sewage and then it goes into the line, goes to the lift station and it is pumped.

JOHN: But no treatment, no septic treatment before, ok. That answered my questions?

MAN: Are they, if we are twenty feet from the ground water, are fertilizers and sprays and anything like that, can that affect the ground water at twenty feet?

JILL: I think it probably could. It has, I mean the Jocko Valley near Arlee, has had that problem in the past. I think that has been documented, yes.

JOHN: Is it possible, can I ask one more question? Is it possible to monitor private wells in the general flow area? We are told that the City wells are monitored I think. Would the Developer be prepared to do some monitoring of local private wells?

JILL: That is a good question for the Developer. I don't think it is a bad idea at all. Ones that might even be closer to the drain field

JOHN: Cause if that is a major concern. Are the people close by, this water could contaminate their wells. If they would allow it and I am sure they would.

JILL: (In audible) is monitored at the point that it enters the drain field but for instance, yeah it would probably be more accurate to monitor it at the point where people are actually drinking it.

JOHN: Right, right, so that could be something we might consider. Thank you. Any other questions? Ok. Thank you very much. Board I guess we are ready to open it for public opinion, public comments. If you would like to make a comment, we would like to keep your comments as short as you can. Be to the point, if someone else has already made the comment, we would, you could say that I agree with so and so and try to keep it quick as we are running into time here, so. But we want to your comments. Bud, please identify yourself and make your comments.

BUD ZEMPEL: St. Ignatius, Montana a neighbor here. Ok, just to give the rest of you guys a little idea here, I might draw up a few feet but this is approximately the City limit here. This is country and this is country, ok. Now, when the question you are asking about the water line, that is approximately four hundred feet from this corner here down here where that roads takes off in town. Now the problem is that's, I don't know if that is an inch and a half or a two inch line, but part of the cost is because see they just can't tie into the end of that. They would have to be dug back to a bigger line for (in audible) to run fire hydrants. Right here, twenty feet would be fine on that and they can even put a gate there. But there absolutely should be some fire trucks to make a loop otherwise the fire trucks they can't turn around in that. They would have to back all the way in here.

MAN: Can they turn around at the hammer head?

BUD: No. I was told that they couldn't. I didn't, it is not laid out so you couldn't drive on in there. Now I measured my well, before I come here tonight and the depth of the water, now I am approximately a hundred feet from where this sewer system is going to be here and the high water comes the end of May, the first of June and I have two wells. My one well it was two feet down in the casing which is about three feet from the ground level. See that is what I am concerned about is when the snow melts in the mountains from the spring run offs and it hasn't quite come yet, that is when get the slush of the water when we turn the water in here in the irrigation ditches, we get a wash down through here and that is why, that is a no no. Thank you.

JOHN: Thank you Bud. Does anyone else want to comment?

CHARLIE: I am Charlie (in audible), even closer than Bud Zempel is by a hundred feet or so. But one thing that comes up to me today on this subdivision was what with their saying the County road which the County abandoned the original one, which went right by my front door. From the corner of this subdivision, the comment was that it was no irrigated. It was a three way turn out right on that northeast corner on the east side there that three turn outs on and there is a ditch that runs clean down to the next corner where they got the affluent and goes across the road and into Tribal land and goes down. I don't know if any of you are acquainted but it goes on to say (in audible) and they used to cross and go clean down to the ponds there. There isn't no comment on this ditch on any of this write up. Do they abandon those ditches when they said they are not irrigateable so was the irrigation project checked?

SUE: The ditch isn't on this property

CHARLIE: It fed the property. I could show any of you if you wanted to where this is.

JOHN: Charlie, excuse me, this is a small ditch that travels through that property

CHARLIE: Not through the property it fed that property, right in that corner

JOHN: That is the same question, I am sorry

CHARLIE: So give or take the owner may have abandoned his property on there. It was a ditch that went across there, I am talking now because I live on that little corner there and the ditch used to run right straight across to the neighboring property from that east corner and kind of parallel to the road up here and they went right across to the land that I am on. I went to Akstill (sp), Merle Akstill he used to be the Superintendent he told me that it was a private ditch but I see numerous irrigation personnel clean that culvert that went into the Tribal property. And I commented to the ditch rider I said, how come you are cleaning a private ditch? He says, I wasn't told it was private. So, that should be looked into I think. I have gone through him and the Tribe and comments that I was told was that all the water is in litigation and I said all I am looking for it to find out about if there is a water right there. The ditch does go way up. It goes way up about a mile and there is a turn out that is monitored by irrigation. So, I would like that looked into if I could. That is all I have.

JOHN: Thanks Charlie. Yes, sir.

NOEL: My name is Noel Pichette from St. Ignatius and I live on the land Charlie was talking about. I used to be a ditch rider. That ditch has never been abandoned. My nephew is leasing that property now and he is paying I forget. Yeah he is still paying on it I think that is something that has to be looked in to and I would like to state that you people should think of the social impact that will have. When you concentrate a lot of people in that one little area there is no play ground, they commented that they were going to help the Town of St. Ignatius with playgrounds or did you say (in audible) yes, but you will have to go a half a mile or mile to the playground. There is no playground there. That is why I am making comment in the letter I wrote, I left here.

SUE: (inaudible)

JOHN: We have it.

NOEL: (inaudible) Lake County Planning Board these are some of my concerns. I feel the Horizon Heights Major Subdivision to be developed one, I would be liable for injuries to children who trespass on my property, that is a law. Two, I am concerned about the sewage and disposal system. It looks it will mix in with ground water if dump or pump that much in one place. Three, I am concerned about the future crime rate when you have a group of people living in such a small place with no playgrounds that leaves, that only leaves the surrounding neighborhood so there will be a lot of trespassing on private property. Four, this is a possibility of vandalism to the nearby, the cemetery nearby. Five, when I spoke to some of my neighbors about this subdivision, they were shocked. Some would say, how can they do this to us. What can we do to stop this from happening to us? That is why I am asking you people on the Lake County Planning Board to consider the people in my neighborhoods feelings. Thank you. My name is Noel Pichette.

JOHN: Thank you Noel. Are there any other comments?

WOMAN: Good evening. I just wanted to comment about the density in the area. The Tribes own ten acres to the north of this property and when I proposed development of that ten acres to the Tribal Council, they only allowed two homes on the ten acres. Just so know density to the Tribal Council in that area they felt they wanted to preserve the open space area. They knew that there is a cemetery to the south of this property. So that, I just wanted you to know that. There is

quite bit of open space to the south of this area that the Tribes own and they have chosen to leave it in agricultural status. Also to the north. I had another comment about water. In the letter from Chairman Steele, it does hook up to a community water system. If it doesn't work out with the City of St. Ignatius, I was just wondering, Trudy did you approach the Tribes about connecting to the Tribal water system?

TRUDY: I don't know

JAN: I think that should be explored further. It might be less expensive. I don't know if they would require as many hydrants and I know that was a concern. But I think it should be explored. Lets see as far as the easement at St. Mary's Lake Road I would just like to comment as a private citizen. I live in St. Ignatius. I travel that road to and from work, to and from town everyday. That is an extremely dangerous curve as everyone else has stated. We don't know if you would be able to get a right of way. It is individual trust property on the north side. Here we have an opportunity to get enough land set aside and also to ask that those homes be set back from St. Mary's Lake Road so there is adequate site distance around that blind corner. I see the Amish with their horses. I see kids on bikes. I see kids out there playing right next to the road. It is not even a sixty foot easement from what I can see around that corner. I mean it is barely wide enough to get two lanes of traffic and when you have bicyclist and the Amish and kids out there playing, I think every single think you can do to get as much site distance there as necessary, you should do. If you look at the letter from the Tribal Chairman about traffic and site distance, the Tribes do ask for additional building set backs from St. Mary's Lake Road and I would ask that you encourage those to be put into your conditions. Thank you.

JOHN: Thanks Jan. Any other comment from the public? Ron.

RON: Good evening. My name is Ron Trahan. I am also a resident in St. Ignatius. I am a little more rural than the rest of these people, but I travel that road everyday. The road is a concern, but the biggest concern that I have is the sewer system. I used to install sewer systems and do a few things with that stuff. I have always had to have a place where you have a replacement just incase the City don't get out there and let you get into the sewer. They can't tell you how long that will go. So you got fourteen houses or something sitting out there and that goes out, where is that sewer going to go. That water table isn't very deep. You know it is sitting down twenty feet. A lot of these wells that are sitting around there, they are about sixty feet. They vary between fifty and sixty feet on a lot of these wells that are sitting there so you know that twenty foot water is

BUD: Twenty-five feet

RON: Cause you are down off that hill there and that is where the flow naturally goes out of that. The creek is right below that so that flow is naturally going that way. That would be the concern I would have with this. Thank you.

JOHN: Thank you Ron.

ROBERT: My name is Robert Matt. I own the property adjoining the proposed development here. My biggest concern, well one of the big concern is the site distance because I have trouble seeing around the corners of course. I was worried about Lot 12 and 13 that if they ever build a privacy fence I wouldn't be able to see around the corner. So my safety would be definitely at risk (in audible) about how dangerous the corner is. Also, they said monitoring on this new type of Type 2 or what, sewer. What type of monitoring are we talking about? There are several kinds. I mean are we talking Colliport (sp)? There are a lot of things that can go in to this drain field here. So I think it should be clarified what type you know if there was going to be some type of monitoring. Also is it proposed to stay in the configurations shown here or will the

Developer have flexibility to take this, maybe stick it right here on my property? So that was one of my concerns too. Definitely waste water getting into the water system is my main concern.

JOHN: Thanks Robert. Is there anyone else that would like to comment?

WOMAN: I would like to respond to the (inaudible)

JOHN: Sure, lets wait until, does anyone else like to comment? Janet? Joe?

JOE: Maybe just an observation. The gentleman here talk about being neighborly and I think they would also bring that point up in this situation. Joe Durgalo from St. Ignatius also. I think you had a good point about working with the neighbors and I don't hear opposition to the development in general but I do hear some concerns that have been raised about developing there and the density there, so I would just like to make the observation about working with the neighbors and trying to allay some of their concerns. That is it.

JOHN: Thank you Joe. Robert.

ROBERT: What about property value? What is going to be the property value?

JOHN: No one knows.

ROBERT: I am talking housing or low income. What are we talking about?

JOHN: I bet that we can get that answered though. We will get that answered Robert. Anyone else like to comment? Trudy would you like to address some of the concerns possibly?

TRUDY: I would.

JOHN: I am hearing briefly up here.

TRUDY: Ok. I made notes and I am going to try and go through this quickly about some of the concerns. Monitoring existing wells, I have, I think that is a good idea. The thing that I would request would be that before our development if it were approved and we stated putting stuff in our septic system that we have a base line for those wells so that we know that we can tell if they are being affected or not. I heard John ask about the septic systems are they going to have to come out if we had the opportunity, if we can't hook up to sewer at this point, would they have to come out? In Missoula in areas that were outlining the City limits when those were annexed in and city sewer was brought out, they left the septic in place, so it was a pretreatment that went then into so, I know in the past in Missoula that has been done. I don't know if the State still would accept that but I know it has been done in the past. Lets see, the ditches. I have been to the BIA to talk to them about the irrigation. The Town ditch which is on the north side of the road on your side of the road Charlie, they have not been able to get water beyond Mission Dam Road for many years. The reason is, is because when they bring it down there it floods Schlips (sp) and I am not sure who else lives down there but the Irrigation District told me that they cannot send water down that ditch if it floods someone's property and it was flooding a couple two or three houses. So they would not allow them to put water down that ditch anymore. Connect to Tribal water, Janet I think that is an excellent idea. We need to and I don't know if Dave has done that. I think that is a great idea. Traffic and site distances, that is one thing I wanted to mention and I am going to go to the map here. I have a yellow piece of paper with written down. From the middle of this driveway, not driveway, but Horizon Drive, my husband and I went out there this morning and measured the distance from here to right about here. This is across Janet from that brown house that was just built across the road. That is right where his mailbox is. That is three hundred and fifty-three feet. I am quite certain. From the middle of this driveway we have a site distance here that you can really see very well to a telephone pole that is right there and then there is a bush growing around it. Once you hit that telephone pole you can't see anything. I mean just absolutely it is blind as can be. So there is a distance of four hundred

and ten feet here that is quite visible from this, the middle of this driveway. Anything beyond that is just totally blind you can't see a thing. Set backs for home and fences to minimize any obstruction in that site distance I think is an excellent idea. I just wanted to comment Bud I see the map and I don't find it tonight. The way the water flows from the site I guess of the drain field is pretty much away from you. The underground, now that is the map that I think Jill provided us and

BUD: It comes right down over the bank toward Mission Creek

TRUDY: Ok who is she?

BUD: The water

TRUDY: Above ground or underground?

BUD: Underground

TRUDY: Underground, ok you are saying it goes directly north then?

BUD: Yes on the high water. When the high water hits

JOHN: Trudy if you would direct your comments to us. We don't want to get a give and take going with the audience

TRUDY: Ok, excuse me

JOHN: We know there are concerns. We are just hoping you are going to address them

TRUDY: Then the last thing I will comment about is I don't know what this subdivision would do to property values. We do have covenants in place and I hope that the people here who are concerned about that, would get a copy of that and maybe judge for themselves. But we certainly intend to make it a nice subdivision. We don't want, they are going to either have basements or garages or storage units so that there isn't an accumulation of various personal items because there isn't enough storage. The half acre lots we do thing provides quite a good yard for kids to play in and hopefully people who have kids might have swings, etc. because the lot sizes are good enough or are large enough. So, we are going to try and make it a very nice subdivision so it has a positive impact rather than a negative impact on surrounding property values.

JOHN: Thank you. Ok we are going to close it to public comment and get it back to the Board for action. Any comments?

JACK: I just have one comment. I know we are busy tonight and we've got a lot on the agenda, but I am just wondering if it would be advantageous for you to tell the public because a lot of these concerns have to do with the water and to just review what the process is for DEQ to, well just briefly.

SUE: Well I don't know if I can explain the DEQ process but I can explain the next step after planning, after the developers receive preliminary plat approval, the subdivision will get submitted to DEQ for review for the water and sewer proposal. With that all the public comment will be submitted. They will look at water quality, quantity, they will look at all these things, Jim might be better to explain the process the way (inaudible) but they have hydrologists, they have scientists that know what to look for and require that it is not going to impact surrounding properties, or ground water.

FRED: I've got a question for Steve. We cannot deny this subdivision over the sewer is that right, that is DEQ.

SUE: Right

FRED: That is not us.

JOHN: So even with what Fred is saying is that if this Board approves this subdivision it doesn't mean this subdivision is going to happen necessarily because it still has to meet, we are not saying it meets the Department of Environmental Qualities Standards so it still has to be that

kind of thing. We are saying this is conditional based on what they come up with. I have a question. This, I have several I think. Item 23, the park land donated cash value, can that money be ear marked as, can that be ear marked for the St. Ignatius area or does all park money then just go into a pot somewhere? Do you know that?

SUE: I don't know for sure that it can be spent within the City limits, but I think that it could be ear marked for use in the surrounding areas and I there is some sort or provision that it has to be used within a certain time line as well

JOHN: So it

SUE: So if there is no project that requires (inaudible) within a certain time line (in audible)

JOHN: So somebody has to be aware that there is some money there and do something to use it. Another one, can we add monitoring private wells and get baseline data as a condition of approval?

MAN: Baseline data is going to be collected for the non-ag with DEQ

JOHN: Oh ok, and you are by a private well zone they will have to check for nitrates in nearby wells.

SUE: My only concern is when the Developers are out of he picture who is paying for the monitoring and who is assuring that the monitoring is occurring, it is going to be the homeowners, how is that going to be set up?

JOHN: Ok, that would be a requirement.

JERRY: They would have to have reasonable access to the property too.

JOHN: They would have to be approval of the private

JERRY: You know if they won't let you in

JOHN: We could put it in the condition of approval. Can we require that the Developer pursue connection to Tribal water as we, it looks like we are going to require the Developer to pursue negotiations with the City for annexation. Can we also a good thing

SUE: A part of DEQ, any public water system within five hundred feet of any public water/sewer system. I think they have to demonstrate that when they go through the DEQ

JOHN: Ok, so that should have already been done. Because this is a public water system. That Tribal system is also public.

JERRY: Where it says (inaudible)

JOHN: So that hasn't been done

SUE: You could specify including Tribal, I mean if that would make it more clear

JERRY: (inaudible)

JOHN: Ok, those are my questions. Anybody else, comments?

KEN: I had a comment that I would like to see the sixty foot easement would be (in audible) not necessarily developed at this time, but I would like to see that easement in there before lots (in audible)

MAN: They changed that other road

KEN: I mean if thirty years down the line they could do a significant improvement in that road and it would be very nice to have an easement in place

SUE: I have something to add. Regarding the visibility, currently the covenants have a set back of ten feet from the property line. Maybe we would want to look at increasing set back on those, (inaudible)

JOHN: Oh the lots?

SUE: Yeah like on Lots eight, nine and ten requiring the set back to be increased to fifty feet or something like that. So if anybody builds like a garage right in the line

JOHN: Eight, nine and ten?

SUE: Yeah it would be kind of on that drain field.

MAN: Those aren't the problems. The problems (in audible)

JOHN: The 13th

MAN: August 13th

JOHN: Yeah so they have to stay back. Now I agree with that. If you are going to put something on those three lots they are going to have to be make sure when like Robert's place that somebody in Lot 13 doesn't put something out there next to the road. That would be the worst one, he can't see anything if they build something very close

JERRY: What are all the setbacks now, one hundred feet?

SUE: Ten

JOHN: Ten feet

SUE: The lots are only a hundred feet

JERRY: So they would want at least a twenty-foot setback.

JOHN: I looked at that and you know nobody should be backing into any road anywhere. You've got to turn out and go forward and you are supposed to stop before you go from a driveway to a road. But they are, they could be very difficult for the next property owner for Robert Matt to see things there if we don't move them back some more. I guess I want a comment, I am very conflicted by this. We worked for many years to come up with a density map and our idea the big picture in Lake County is that we keep density close to towns and this is a growth area, that is what we came up with when we did density map. We just put this density map into place. So when I first looked at this I thought wow that is where it needs to happen. I don't want it happening out by Mission Dam. I don't want it happening out by McDonald Lake. It needs to be close to town. This is a growth area. Then we see that we have close to town we have some sewer problems and water problems and I am just hoping that we can find ways to mitigate these and I know no one wants a whole bunch of people right next to them but this is a growth area and we are supposed to be, I think this Board, I can't speak for this Board but I think they are going to have to consider that density is a tool that we are going to use to try keep some open space in our County in the larger picture and to do that as this Board knows I am no champion of growth but I am also someone who sees that there is some inevitable growth and we need to do things as well as they can be done and we need to put people, give people the opportunity to be close to town. I don't know if this is the right one. I haven't, I still haven't decided. I am very conflicted by this and so this is a difficult one for me.

KEN: Along those lines Mr. Chairman I think the idea of the growth next to town is that we are going to be on town services and that I think is where we run to the big issue here is that if we can cluster (in audible) next to town and hook into a town water and sewer supply then you don't have those impacts then this well may go along with the letter of the law with growth next to town, I think violates the spirit of the roads next to the town.

JOHN: Thanks Ken. Anyone else comment? Yes Jerry

JERRY: Along with the setback the particular lots there should probably be a restriction on the type of fence that could be put up so it doesn't block the view. A fence that you can basically see through.

JOHN: Well can we start

SUE: We were thinking maybe fifty feet from the centerline of the road would be appropriate

JOHN: Ok

JERRY: How much?

SUE: Fifty feet from the centerline
JERRY: How about a fence restriction of some sort?
SUE: The fence is within twenty feet
JERRY: That is where it is located but the type of fence. You wouldn't want to put up a solid board fence you couldn't see through is what I am saying.
SUE: No solid fencing
JOHN: Ok do you want to make that a condition?
JERRY: Not yet
JOHN: Not yet, just keep going
JERRY: Well until it is done, we haven't got anything to go on yet
JOHN: So, what lots are the setbacks
SUE: I think all the lots (inaudible)
JOHN: All the lots. Do you have the lots Bob?
BOB: All the lots
JOHN: Ok all
SUE: That are adjacent
JACK: So you are doing that on all the lots even the ones that are on that long site distance?
JOHN: Yeah
JACK: (in audible) regards about it being fair?
JOEL: They could see the traffic going on St. Mary's Lake Road (inaudible)
JOHN: Eight, nine, oh ok
JACK: (inaudible)
JOHN: Any other comments?
JACK: If there are no other comments I will make a motion that we approve it with the following changes on six that we change that six to twenty foot, I don't know just exactly how to word it but we don't want a balance of. Through Page 3, the frontage road access that an emergency vehicle could get through there
SUE: The way it is written it isn't supposed to be developed. It just supposed to establish the medium, not the developing. So that the general public doesn't come through and it doesn't get an approved vote
SUE: It would just be there
JOHN: It could even be an exterior fence but there is an easement there
JACK: (inaudible) eliminate the twenty-eight I want to make a recommendation that those wells be monitored before the subdivision and then after the subdivision which they will be because some of the I am not going to name (in audible) because I don't know, but the post wells the ones that may be effected and one other change, twenty-nine on Lots 11, 12 & 13, I think that is all we need. Now maybe there will be another one. We got a sixty foot setback from the center line of the road and fence restrictions and I don't know how you would word that Sue so that, I mean they don't have to not be fenced but you are not going to sell them board fence.
SUE: Ok
JACK: That is the only changes that I had
KEN: I will second
JOHN: Ok it has been moved and seconded to accept the Staff's recommendation of approval with conditions that Jack mentioned. Any other discussion? Questions then called for. All in favor of the motion, please signify by raising your hands, opposed. Ok. Thanks everybody.

Motion Jack Meuli, second Ken Miller, to recommend approval of the subdivision with staff recommendations with revisions. Condition #6: Change 60 feet to 20 feet. Condition #28: Wells to be monitored before and after subdivision. Condition #29: For lots 11, 12 and 13, a 60' setback from center line of the road and fence restrictions that prohibit solid fencing, 80% open. Motion carried, 7 in favor (Jack M, Bob K, Clarence B, Jerry W, Fred M, Steve H, John F) and 1 opposed (Ken Miller).

JERRY: Did you get a good count?

SUE: Everybody, ok

STONEWALL PHASE III

JOHN: Ok, next item on our agenda, I have lost the agenda.

JERRY: It is the school house

JOHN: Let me find it

MARC: Mr. Chairman one of consultants for the Stonewall is traveling from Missoula. Given the lateness of the hour, could we possibly be Stonewall before the Schoolhouse?

JOHN: Am I right that we are doing Stonewall? Ok This is a major subdivision and this is an initial review. So we will hold a public hearing on this proposal June 14th and tonight is information only. We will take public comment if there is any to be had. So Staff.

SUE: Ok, this is the Stonewall Phase III Major Subdivision. (Sue reads the Staff Report)

JOHN: Thank you Sue. Are there any questions?

BOB: The fire sprinklers installed, where did that come from?

SUE: The Polson Rural Fire District is considering adopting or no the State has adopted the National Fire Protection Standards that state any story over two or any building over two stories high has to be sprinkled. So it is under State statute.

JERRY: Over two?

SUE: Over two

BOB: Would that be throughout the County

SUE: This is throughout the County. Any fire district that chooses to enforce it. I don't know what the enforcements

JOHN: I had a question. I think it is quick. They viewed the bonus, does that mean Phase III is the end and what is left is not, is going to be restricted for further development. That would be stated somewhere in the text or does it have to be stated?

SUE: Yes it does and that was in section 2B that that Lot will be labeled and dedicated for open space resource use, or common area or park land with the restriction placed on the plat.

JOHN: To remain an open space. Ok just checking.

JERRY: Just a comment, it looks like our Polson Chief is asking for the moon in terms of money. We did a subdivision tonight for the amount was increased to two hundred.

Traditionally it has been one hundred. I am a little concerned with the lack of adequate water supply when you are only about three miles from town. I think that is being overboard a little bit. There have been a lot of other places that there should be that lucky but.

KEN: Three miles is a long way to get water though

JERRY: I know but they do have tenders.

JOHN: Any other questions. Developer would you like to make any comments or Staff?

LYNN: I am Lynn Specker from Carson Surveying. I am the Planner. I am just going to address a few of the issues that were stated in here. The first one was about the parklands that you need an additional 1.65 acres, that wouldn't be a problem. Based on the lot sizes we would be able to find that acreage, that wouldn't be a problem, so that can be fixed. For the water company, we were able to provide a contract that is between the Stone Ridge Water Company and this subdivision yet. Both the Developer and the water company people were out of town. We weren't able to be able to submit that prior to this meeting, but it is understood that it is going to happen. They are going to work on it the next week and we will be able to provide that to the planning department, that shouldn't be a problem. In terms of the bus stop, it says it was dedicated on the final plat, although the improvement is not complete. We will look into that and make sure that gets taken care of. The last thing was storm water management plan. That will be, that will be shown as the sanitation review progressive. So we will take care of, there were some concerns about that on the easement. So we will take care of that as we progress with sanitation. As well as the (inaudible) will also be addressed. In terms of the roads, there is an existing twenty foot wide easement so there is already an existing and we are giving twenty so there is going to be a forty foot wide easement on there

MARC: Were you referring to the twenty-foot easement over behind the park in Lot number

SUE: Marc there is no easement on the park.

MARC: We will provide documentation to clarify that

SUE: Ok and Lynn also, the swale easement has to be addressed now because I don't think those lots can be developed and we can't approve lots that can't be developed. So we can't wait for sanitation. That easement

MARC: As far as this previous one, yes you are absolutely right, that will be dealt with but the magnitude of any other easements for storm water will be forth coming. We have two elements going on.

SUE: Right

MARC: We have the existing and we have the (inaudible)

SUE: You need to deal with the existing

MARC: We will deal with the existing. That is where that other acre came from. That is how come I lost it, I will go get it back, sorry about that.

SUE: Good.

NATHAN: I will just take a minute to introduce myself. My name is Nathan Luckey. I work for Land Works in Missoula. We are the engineers for the project so we will be taking care of the DEQ submittal. So I can field any of those questions from you guys that you may have concerning drainage, water, sewer, we all know that those

END OF TAPE 1 (SIDE B)

TAPE 2 (SIDE A)

PATRICK MATEAS: And this would be Phase I over here, another forty acres. Now this is part of the forty acres that has to stay you know park area or whatever. It is actually owned by somebody other than Stonewall Estates. But next to Phase I, I own twenty acres and before Stonewall Estates was formed there were covenants on three pieces of property. This acreage here and this eighty acres here and this twenty acre piece and eventually Lonnie subdivided this eighty acre piece, created another forty, so now there is four pieces of property that had a set of

covenants. When Lonnie Heck divided this land he simultaneously changed those covenants and created the subdivision there and he did not exclude my twenty-acre piece of property over here. Now it is unclear whether I belong to his association or if he belongs to mine and if there is additionally thirty-five and soon to be forty-eight pieces of property hooked to mine. I am not sure of the implications there. You know are they going to let me know when they vote and give me a vote or are they going to send me a bill for improvements over there? Are they going to let me hook up to their sewer and water? You know it is very convoluted at this point and I think it is up to the Planning Board should consider you know I am not sure that the Planning Board knew that twenty acres was included when they allowed this. You know makes kind of a situation here and I haven't had time to prepare but I will put something in writing and sent it to the Board you know with some more of my concerns. But, it is very convoluted.

JOHN: I am sure these folks are going to look into that too. Make sure

WOMAN: What is your name again?

PATRICK: Patrick Mateas, M-A-T-E-A-S

MARC: Do you have a copy of your covenants?

PATRICK: Yes they are mentioned in the covenants for Stonewall Estates because they were amended to create Stonewall Estates. Number 4113320 I've got that somewhere.

JOHN: Marc will you guys stay in touch with Patrick so we don't have to worry about this next time?

MARC: Can I get your phone number?

PATRICK: Sure

JOHN: Thank you. Is there anyone else, Patrick is that ok now, can we go on?

PATRICK: Yes

JOHN: Was that your concern?

PATRICK: Yes

JOHN: Does anyone else have a comment? So we will close that and I think we are ready to move on.

SCHOOL HOUSE

JOHN: School House Minor Subdivision is the next thing on the agenda. This is a minor subdivision. We will take action on it. The Commissioners are scheduled to hear the proposal May 31, 2006 at 10:00 a.m. We will have the same format presentation and then questions, comments and the whole thing. Alex you know what time it is don't you? We have read the Report, you can hit the highlights.

JERRY: You have never heard that before either have you?

JOHN: Well we do what to give this proposal its due, but we would also like to hurry

ALEX: Ok this is the Staff Report presentation for the School House Minor Subdivision. (Alex reads the Staff Report)

JOHN: Are there any questions of Staff?

JACK: I got one, in the covenants does it say he has to have a legal exterior fence?

ALEX: You know that is an interesting question. This proposal and one other that we are working on in pre-app stage, I had questions about the fencing. I have, the covenants do mention the fencing up to the legal Montana standards and I have noticed a pattern of agricultural use in that Moiese area that is different from the majority of the Mission Valley in that fencing is not prevalent down there.

?: There is livestock in this area right?

ALEX: I have not witnessed livestock in the tracts surrounding

JERRY: I say we put in there that he has to make an exterior fence zoning.

ALEX: It is actually included in here, I just didn't read it because I am trying to

?: Ok, if it is in a herd lot area then you could take that out. I can't hear you.

SUE: I think it might be like in a herd district

?: The herd districts got it all worked out.

JOHN: Any other questions of Staff? Would you guys like to make comments?

LYNN: I just have two comments. I don't need to introduce myself again do I? I just wanted to make the comment that this subdivision complies with the density map and also as a condition of approval we will be happy to do a Tribal clearance for artifacts or anything like that and that is all I have to say.

JOHN: Did we put that in this, the Tribal Cultural Clearance? That will be in there next time so we don't have to add it next time. Was there any comment from the audience? Any comments or if you are here for something else. Ok, we will close it then. Board, are you ready for your comments or action and action?

JERRY: Well I will make the motion then that we can discuss it and if there is anything done. I move that we accept it with the change in there the one on having the agriculture, (inaudible) and also I want that fencing in there.

ALEX: You do want that?

JERRY: Yeah

ALEX: Ok.

JOHN: There is a motion and a second. Discussion? Questions been called for, all in favor of the motion indicate by raising your hand, opposed. See we can do something quickly

MARC: Thank you Commissioners and Staff

JOHN: Ok, other business. Do you guys have some other business? I think a lot of these people are Lake First interested type people and I think that is why you are here and they are interested in box stores and corridor planning along 93 and things like that I am too.

SUE: Yeah two weeks ago they scheduled a meeting with the Commissioners to come and talk to them and present to them some regulations that Ravalli County has adopted under interim zoning that prohibits structures that are greater than sixty thousand square feet and requires a standards for structures anything greater than twenty-five thousand. So, any structures greater than twenty-five thousand and less than sixty thousand square that are developed in Ravalli County now have standards as to maximum height, required yards, setbacks, minimum lot width, there is also design standards for the building that address color and landscaping. Off street parking requirements, traffic impact studies, fire protection, uniform standards have to be met, bicycle and pedestrians, lighting, signage, those types of things. So we met with the Commissioners to talk about and the Commissioners pretty much said that they are not interested in doing an interim zoning. Interim zoning is mostly for some sort of, it is an emergency provision if there is some sort of eminent threat to the public health and safety or something along those lines and they felt that in the long run it is more beneficial if you do it all as a complete zoning package. They relayed to the folks that came to the meeting that Staff is pretty limited and in order you know to take on some venture like this they would like a little bit more assurance from the entire County that they would support something like this. We also talked about the corridor planning along Hwy 93 part of the agreement for development, (inaudible) off the highway there was a provision that the County and Tribe work together to establish a land

use corridor plan or land use plan along the entire corridor and in the Lake County Growth Policy it does say that would be starting in 2003 and implemented by 2006. It was started but it has land use controls and the document, the draft document that was developed includes I think up to three miles.

(Women discussing miles)

SUE: Mile on either side and that was around the time we were doing the density regulations and we thought we better but this on the back burner because people were very suspicious about us trying to create zoning that would eventually turn into land use controls and setbacks and those types of things so we thought we will put that on the back burner, get the density map implemented and then revisit the corridor planning. Every time Janet and I see each other we say we have to get back on that, but just time constraints kind of limited our ability to work on that. That is all I have.

JOHN: Janet do you

JANET: You know I have been thinking about this for quite awhile and you now the (inaudible) and you know how everybody hates a lot of regulations, well I was thinking we could do like a scenic overlay district and because we have a density map. We had a scenic overlay district to drug the billboard issue because that is a big issue to a lot of people and then a commercial overlay district. And if you did within your commercial overlay district putting that around your towns, allowing for some growth but have only commercial development around your town. And then have your scenic overlay district and try to maybe you could grandfather in existing into it, but once they had to replace the structure after so many years, you know you could put those kind of provisions. But then it wouldn't be an entire zoning, an entire corridor of zoning document, it would be overly district within the corridor. So then basically what you are saying is you are allowing development here instead of restricting development, see what I am saying. And so I am not here to implement something like that, I just thought I would throw that out there, but I really think that since we already have a draft document, if we continue to work with honing that down to simplifying it overlay districts only, it might be something that we (inaudible) and again if you look back to that public opinion pole and if maybe we can get a grant to update that opinion poll, people still want to see commercial development towards the town, not out in the country. They don't want to see strong, based on that poll that we did in 95' and then we asked people two years ago we had a series of public meetings with Dave DeGrandpre, same response. We asked everybody to fill out comments forms, they agreed with the poll. They want the Tribes and the County to do this kind of zoning and they want the corridor protected.

JOHN: Yep

?: The authority (inaudible) for community development. We have been talking about looking at port authority is uphill districting along with this corridor planning because it is so critical as ownership being worse, I had conversations with five different companies who want to relocate from Missoula who are doing some high tech work at one time into S&K Electronics, S& K Technologies, they are really looking at what is going to happen relative to industrial growth which will also then add to commercial growth as well, so you really do need to look at what are (inaudible) the infrastructure and (inaudible) and what those things should look if we are going to have any control at all over how growth occurs throughout (inaudible) and the Tribe work together and hopefully they will (inaudible) and how we can create environments where we can perhaps offer incentives for companies to come in (inaudible)

JOHN: Thanks Bernie(?). I guess what I am, what I would like to find out is if this Board has (inaudible) pushing Commissioners or trying to find some resources from the County to do something about corridor planning. I know you folks are, I know where you stand on that and I have for years have thought you know one of the most precious things we have in Lake County is the ability to get between these towns and actually see the mountains and it is, it is almost to Pablo now. It is over the hill and there is everything up there and it is going and it is going to continue. We are going to have commercial and I don't know when we are going to have industrial, but I would really like to know if this Board is interested in that happening. It sounds like the Commissioners are interested, but there are limited resources and I would hope maybe some of these people could help us with those resources, but it is going to have to be a cooperative effort and I don't know if the political rule is there. My will is there, but I am not so sure if yours is. Some of you guys don't live on 93. I have to drive it all the time. If you are interested in that, that is why we bring this up, I think to find out if there is interest.

JERRY: (inaudible)

JOHN: You have curves I know.

JERRY: (inaudible) on staffing and you people being able to do anything, (inaudible)

SUE: Yeah, pretty much, with just the limited resources and then also the other things that we have to do. I mean we are required under state law to update our subdivision regulations by October and review the density map and that kind of thing. A good point made at the meeting was that construction has within five years leeway to try to get this implemented prior, (inaudible), especially (inaudible) and also that is best to have these regulations in place instead of reacting to things down the road.

JOHN: Jan

JAN: There was some discussion which the Commissioners seemed receptive towards particularly Paddy Trusler, that at least a committee being formed to research it that would include perhaps a member from City-County Planning Board you know some representative from Staff, Planning, somebody from the Tribes, somebody from our organization or you know from different of the cities and that the Commissioners might consider you know obviously not funding but giving it some sort of blessing that if the given the right components of individuals on the Committee that they would consider the result seriously when it came out and felt like we would proceed if we had a little more indication that you know we weren't going to waste our time. I think that

JOHN: And that is what I am trying to find out too

JAN: Maybe a little more than five years because I find out there, that this is just looking right now and obviously you know if, you know we are starting the trend of a strip development, you know this with groundbreaking next fall, if you know the hundred fifty-nine square foot building is approved for the Super Center and if it is not approved they are going probably direct to the County and that is a question whether we want to encourage that trend here in Lake County because once they find others will follow and we won't have you know currently the fifty-five thousand square foot building is the existing Wal-Mart is the largest commercial retail I believe in the County or in Polson.

KEN: I was just going to say even more than subdivision review, I think that this industrial/commercial planning really falls into the scope of that what we should be doing here in the Planning Board and think we really need to throw some attention to this. We might consider regularly meeting twice per month to be able to address this and the subdivision review and all the zoning district reviews that we have to get through and start making that a more regular thing

because you can see right now we have been here three and a half hours and once a month just isn't enough to cover it all

JERRY: We probably already faced with that (inaudible)

BOB: I agree with Ken. I think we are going to be reacting soon, if this project that, if this project doesn't happen, if the Wal-Mart project, I might as well say the name, if it doesn't happen here in Polson, it is going to be on top of that hill and then we can, I guess I would ask do you think Sue that the Commissioners then consider it an emergency situation as they did in Ravalli County. We don't have the growth they have, but they may not. If there is any possible way that we can you know have the County ready to deal with those in an even and open and honest way, I would rather do that than to be acting like here comes Wal-Mart and now we got to do something to stop them.

SUE: One of the other provisions that this interim surrounding is that there also has to be some plan on the table to establish a more full blown zoning County wide. I mean it is not just going to then be adopted a year from now as the same document. What they are looking at is establishing areas commercial/industrial throughout the County and having you know development requirements, specifications County wide in Ravalli County.

BOB: In Ravalli

SUE: Yeah I was talking to their Planner the other day and she said, what how this all came about was that a few people came in and said they wanted to talk about it, (inaudible) didn't really make any decision and they had another meeting with the Commissioners and you know twice as many people showed up and then the next meeting, three times as many and the Commissioners were finally like you know that this is an issue that the public is really interested in addressing and so they directed the Staff to get it done and what they did was they closed down their office in the morning hours and they only opened it to the public in the afternoon hours like for a period of time to get the work done and I think today was their first day open again for eight hours again.

BOB: I would think you know forethought for planning is definitely a good idea and it seems to be reading this that there was forty-four percent growth between 90 and 2000 in Ravalli County and they now kind of stuck their finger in the dike and said wait a minute it is going to fast now, it is kind of a dollar short and a day late and so I think that is good. The challenge appears to me that Lake County has is money. We are, you guys are understaffed, you are underpaid, you got too much to do and to put more stuff on your plate, it is a challenge. You probably can answer that yourselves, but you are under the, you are under the gun on the sixty day subdivision review and you get ten subdivision, this is going to go on the back burner, so I would propose Janet that if the Tribe can come up with some money or something and you got this public document, this survey again that is more dated than 1995 and you got it out of the public and what does the public want. Do they want this corridor, how do they want this corridor and then you've got some hard evidence to be able to present to the Commissioners and then more people would be involved in the process and people start to think about now with all this road improvement it is only going to be a forty minute drive to Missoula. Well we are going to have people, we are going to be a bedroom community. The way I see it, I mean I had a discussion today with a County employee who is underpaid and he was talking about all the other people that are underpaid, that is the challenge I see. These people are always I feel they are just one phone call away from jumping ship and going somewhere else that pays more money.

BILLIE: Right here. I am the only Planner (inaudible) I work with four Counties and three Cities, four Cities. I know

BOB: You are aware, so to me it is like on thing, it always come down to money. I mean we can write out, I mean I talk to a lot of people and I had, I was at a pretty big funeral today and the Wal-Mart think came up and two people said I am so sick of reading about Wal-Mart that I don't even read about it anymore and I hate that kind of comment. I hate that kind of input but not to say that it is not important, I think we should do the planning, I think it is, the challenge is, the time constraints and the money constraints and to go in to the Commissioners and say, don't do this, I don't know that works with those guys.

BILLIE: But Bob I think one of the things that could get that on the Board is a commitment to do the planning, which is one of the things, (inaudible) a commitment to the plan that opens the door and then we really look from. I know of a (inaudible) and those ranks are due by the end of this month, I think if I remember right. That if we look at the kind of plan DeGrandpre has proposed, is that we go in after another planning plan, the issue having the commitment. Then we look to whether, if wait for the resources to come first, all we are doing is prolonging and delaying. We have to have commitment in order to get things (inaudible). So, I would suggest that if there is a way, however the project works, that there is a commitment to complete the corridor plan, commercial and industrial development and that means a review of and including a review of commercial land use, sizes, whatever that might entail, that there is commitment for that, that opens the door to imposing a temporary restraining order or a temporary ordinance that says, no we are in the planning process, we are not going to accept this right now.

BOB: So what are you looking for? You are looking for a commitment from this Board to recommend the Commissioners

BILLIE: Through the Commissioners that the corridor plan be put off the front burners and that it include all of these segments that Susan outlined (inaudible) within that corridor plan, if you moved it from the front burner and then the Commissioners can say, help we need the funding. How much is it going to cost to fund it? Does it free up the staff line to add another part-time staffer, to do whatever we need to do to gather resources to bring the focus to that, but that can't happen

JOHN: So you are asking Billie that and I think understand now what might happen here is that if we could have a motion on this Board to ask the Commissioners to commit staff time for this, that I mean we don't, we know there is not resources. We know there is not time, but maybe it can be made, maybe it shows up somewhere. If they know this Board wants that to happen, that step, it is a step, is that what you are saying.

BILLIE: (inaudible) a priority to the Tribes, that the Tribes want to see a corridor plan. They have talked it about every year for the last ten, fifteen years and the question is we need to do it together, I can't do it alone and so you know I am willing to work on it. I just as swamped as these guys are, I don't have the State Law commitments that these guys have but I am willing to work on it, and I think the Tribal Council will support it.

JOHN: Karen do you want to make a comment?

KAREN: I was just going to say that as you look as how much time the City staff has been clogged up having the applications from Wal-Mart in their face it could happen in just a few months to the Staff here if we don't be proactive.

JOHN: Yes ma'am

JACKIE: Jackie (inaudible) I believe that this is very urgent because if we don't do something about a monolithic structure than national trend is that Home Depot follows on a Super Center's heels and look how fast the change stores took over Hwy 93 north of Kalispell. And this is right here before us right now. So, I urge you to see the urgents of this, thank you.

JERRY: Ok, I have had some thoughts and I don't know quite how to put them into words but we have a movement in Flathead County right now that they would like to bring the growth policy to a public vote. I don't think it will pass into a public vote. The question is if you develop a plan, how are you going to implement it without hitting the road blocks? We ran into road blocks on the density map and just not quite sure how it will happen. Not that is shouldn't be done, but how are you going to implement it or if you go to an interim, how do you project that on into a fighting plan. Do you put it to a public vote or how do you do it? I think when you go to a public vote

SUE: Actually the public vote is up to the Commissioners

JERRY: That would be a

JOHN: That is a Commissioner

JERRY: That is a tough one because I don't think it will pass.

MAN: Are we talking corridor plan or are we talking keeping Wal-Mart out of the County any place or both?

SUE: I am not sure

JOHN: I look at that by saying, I think we just talk about corridor planning

SUE: I have minimum corridor

JOHN(?): Because the bottom line is they are not going to (inaudible) two miles off 93 and build anything

MAN: Probably not

JOHN: And you know we are committed. We are committed to corridor planning. Our implementation tools from our County growth policy commit us to that. I guess what I would like to see, I would like somebody on this Board to make a motion that we I guess petition the Commissioners to provide staff time and resources to develop a cooperative corridor plan with the Tribes and just get started. I mean just say that and see what happens. I know you got, you three people don't have time or I know that, but time is made.

KEN: Yeah I mean we wasted hours in here

JOHN: Have we cloned you yet? I guess I could make that motion too. I would like to move that this Board send a message to the Commissioners that we are in favor of staff time and resources to develop and to develop the corridor plan for 93 and Lake County.

BOB: I will second that

JOHN: Is there any discussion?

JERRY: I like the idea of corridor being limited around the towns and you know some the development not being allowed between the towns and I don't know how we implement that. I don't know how we implement the corridor plan but that is an integral part of it.

JOHN: I guess I would say, I don't know what it looks like either, but that is what this process would be.

JERRY: I think there is a need for it, I just don't know how you get there

JOHN: And I don't either Jerry. I just think maybe a start would be this motion

JERRY: You know we've got a growth policy through and now they are talking the Flathead County. You put that to a public vote. They aren't even there yet. We are also readdressing the County and they haven't done on this (in audible)

SUE: We are not Flathead County though

JERRY: I know

SUE: I mean

JERRY: Unfortunately, I live a few miles from it.

SUE: I mean it is the same way in Ravalli County. I mean they just have totally different things going on and we are lucky enough that we don't have those pressures yet

BOB: But it is coming

SUE: Yeah but we can (in audible) you know get some other stuff addressed before we

KEN: I think we all need to remember we are a Planning Board and a Planning Department not a reactionary board and so it is time to do some planning and not reacting.

MAN: (in audible) Tribe

JOHN: I don't think it did but I think I wanted it to because a cooperative corridor plan which, there is Tribal land near the Highway too, so it would almost have to be to be affected. Yes, my motion would include that.

JERRY: It is mentioned in here

JOHN: Yeah it is and my motion would be there. That we just ask the Commissioners to contribute time and staff time and staff resources to developing and adopting a cooperative corridor plan. Cooperative meaning with the Tribes.

BILLIE: And establishing a time line

JOHN: And establishing a time line. Anything else Billie?

BOB BUSHNELL: Bob Bushnell, I live on the East Shore. I lived too many years in Los Angeles which provided a good income and watch the City of Los Angeles just pass basically just rubberstamp everything that came along. I think the term strip mall came from Los Angeles, cause you say them continually. And the conditions were the same, too many units for too small a space, no parking and the poor person that says I am going to open a Mom and Pop store got sandbagged too many times. Because the City of Los Angeles said just fine, they had a rubberstamp and bing, bing, bing, because they were reacting, they were not planning.

JOHN: Thank you Bob. Ok, there is a motion on the Board, questions been called for, all in favor of the motion, raise your hand, opposed, unanimous. Thank you guys. Is there a motion for adjournment?

BOB: So moved

JOHN: I second it.

Motion Bob Kormann, second John Fleming, to adjourn. Motion carried, all in favor.