FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
MARCH 15, 2006

CALL TO ORDER

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Charles Lapp, Don Hines, Jeff Larsen, Gene Dziza, Kathy Robertson, Gordon Cross, Randy Toavs, and Kim Fleming. Frank DeKort had an excused absence. Kirsten Holland, Traci Tull and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were approximately 60 people in the audience.

GUEST SPEAKER

Diana Blend gave the Board a status report of the Long Range Planning Task Force.

APPROVAL OF MINUTES

Dziza made a motion seconded by Robertson to approve the February 8, 2006 meeting minutes. The motion passed unanimously.

PUBLIC REVIEW

Jeff Larsen reviewed the public hearing process for the public.

MASTER PLAN AMENDMENT/ COOPER FARMS

A request to amend the Flathead County Master Plan submitted by Flathead Village Greens, (Cooper Farms). Specifically the applicant wishes to change the Plan designation on 362 acres from the present Agricultural to Urban Residential designation, and to include their Neighborhood Plan in the 1987 Master Plan. The property is located near the northeast corner of Highway 93 South and MT Highway 82 in the Somers area.

STAFF REPORT

Jeff Harris reviewed Staff Report FPMA 05-08 for the Board.

APPLICANT

Eric Mulcahy, of Sands Surveying, represented the applicant. He named various agencies the applicants met with to solicit comments and mentioned they met with Somer's residents and the Somer's Land Use group as well.

He presented a Powerpoint presentation of the plan.

Bruce Lutz, of Sitescape Associates, discussed the landscape plan for this area; he referred to it as "the gateway" into the valley.

Robertson asked about the community water system. She read a letter from the Flathead Lakers regarding wetland concerns.

AGENCIES

None present.

Harris (Staff) said comments were received as were 62 letters from the public in opposition.

PUBLIC COMMENT

Katherine Maxwell, 115 Pikes Peak, expressed concern as a resident of Somers. She talked about the Growth Policy, community values, and the size of the project.

Kristin Hendrickson, 62 Sweet Hill, talked about impact on the school and said this development would change the "feel" of the entire area. She is concerned with overall spread and wetlands.

Mayre Flowers, of Citizens for a Better Flathead, handed out a packet of information to the Board. She talked about the commonalities between this plan and the Riverdale Neighborhood Plan. She said this plan is being requested by a single applicant on one piece of property and talked about "spot zoning", which she stated is illegal according to Montana State law. She discussed the Growth Policy and the Board's responsibility to create criteria for a true community plan.

Kim Orr, 5655 Hwy 93 S, thinks this plan has a "community feel" and was pleasantly surprised though is neither for nor against the plan. She is concerned with the impact on School Addition Rd in regard to traffic congestion.

Asta Bowen, 234 Old Hwy 93 S, said there are many appealing aspects including the landscaping and wetland preservation however, she is concerned with density, water, and preservation. She is concerned with the sustainability of the development and wonders where the jobs will come from for people to be able to afford these homes. She thinks quality of life and community is the heart of the issue and that this doesn't fit with the character of the surrounding area.

Dennis Hatton, 249 Breezy Point, talked about other projects in the Somers area. He is concerned with roads (Somers Road and School Addition Road), the capacity of Lakeside Water & Sewer, emergency response agencies, and the increased costs of these developments. He said the roads will need to be improved and classrooms will need to be added at some point. He thinks the developers have a responsibility as to how they will affect the existing neighborhood and doesn't think the people that live there now should have to provide financial means for improvements to be made because of these developments. He asked the Board to consider their responsibility because the decisions they make affect people's lives.

STAFF REBUTTAL

Harris thanked the audience for their public comments.

APPLICANT REBUTTAL

None.

MAIN MOTION

Dziza made a motion seconded by Lapp to adopt Staff Report FPMA 05-08 as amended and recommended approval to the Board of County Commissioners.

BOARD DISCUSSION

Dziza said the image of Kalispell is from up on the hill coming down into the valley. He discussed overall growth in the valley and said it's smart to plan ahead for people that are going to come to the area. He liked the commercial aspect of this proposal as it would be a convenience to people in the area.

Hines liked the idea of the plan but had a problem with the viewscape. He talked about school issues and said developers need to get together and plan some infrastructure if they are going to be impacting the area and the people who live in that area. He is concerned with roads and several other issues. He has "heartburn" about the whole thing.

Dziza asked Harris if the Board could request improvements to be made as part of the subdivision process.

Harris (Staff) said the Board could ask for offsite improvements that are directly attributed to the subdivision.

Lapp talked about neighborhood plans and said it's up to the Board to plan for these. He concurred with what Dziza said; that it's up to the Board to plan for areas where people are going to go.

Fleming talked about residential developments in regards to roads, traffic lights, and the dangerous intersection of Hwy 93 and Hwy 82. She said this development looks more like a PUD instead of a neighborhood plan. The details presented tonight are not binding and there will need to be additional hearings to determine compliance.

MOTION
Traffic Study

Fleming made a motion seconded by Robertson to amend the plan to include the traffic impact study.

BOARD DISCUSSION

Dziza asked Fleming the intent of her motion. Fleming explained.

Harris (Staff) said the Staff Report recommended the approval of the master plan amendment, which includes the documents Fleming referred to.

MOTION ROLL CALL
Traffic Study

On a roll call vote the motion passed unanimously.

BOARD DISCUSSION

Robertson said it's critical for the applicant to solicit comments from Fish, Wildlife, and Parks. She has mixed feelings about the proposal; she thinks it's too much commercial, is too dense, and shouldn't be in the middle of nowhere.

Toavs said he's in favor. He said comments have been made from the Fire Departments and Schools in support and doesn't see a problem with it. He talked about landscaping and phasing of the development.

Cross expressed concern with landscaping and buffers and said landscaping should happen in the early stages. He is also concerned with the commercial area, sewer capacity, and traffic lights. He said the Board should address the landscape issue.

The Board continued to discuss the landscape plan.

Harris (Staff) said if the commercial area comes first, it creates jobs for potential residents of this area. He spoke with Gael Bissell of Fish, Wildlife, and Parks, who had several concerns, however did not have a chance to review the plan.

MOTION
Condition #4

Robertson made a motion seconded by Fleming to change the wording in the Staff Report (#4 under Findings of Fact and Recommendation) from "housing" to "structures".

Withdrawn, see Board Discussion below.

BOARD DISCUSSION

The Board and Staff discussed Robertson's motion and number of housing units.

Fleming said this should be addressed as the subdivision requests come in.

Lapp talked about condition #4 and said the Board was talking about two different things.

Robertson withdrew her motion.

MOTION
Buffer/Landscape

Dziza made a motion seconded by Robertson to add a condition requiring perimeter buffer and landscaping to be installed at commencement of construction.

ROLL CALL
Buffer/Landscape

On a roll call vote the motion passed unanimously.

BOARD DISCUSSION

Lapp concurred with the motion.

Larsen said the Board needs to look at places where the amenities are available for plans like this. He thinks there are concerns in regards to traffic and the size of the commercial area. Overall, he is in favor of this; he thinks they did an excellent job of putting this plan together.

Toavs discussed the usable acreage within this plan.

Mulcahy clarified the issue and said they could come up with some numbers.

Toavs talked about the way in which the commercial structures are proposed to sit and said the situation of the structures is backwards.

The Board discussed the possibility of tabling the project vs. continuing the project. Larsen said you can't continue an item after the public hearing has been closed; it would have to be tabled.

SECONDARY MOTION
To Table

Robertson made a motion to table this project until Wednesday, April 19th, 2006.

Motion fails due to lack of a second.

SUBSIDIARY MOTION
To Table

Hines made a motion seconded by Robertson to table this project until Wednesday, May 3, 2006.

SUBSIDIARY MOTION ROLL CALL
To Table

On a roll call vote the motion failed 3-5 with Dziza, Toavs, Lapp, Larsen, and Fleming dissenting.

BOARD DISCUSSION

Lapp said the Board needs to be prepared to make these decisions. He doesn't understand how the Board would have more clarity if they put this on hold for another month after reviewing all the other projects on their agenda.

MAIN MOTION ROLL CALL

On a roll call vote the motion passed 5-3 with Cross, Fleming, and Hines dissenting.

PRELIMINARY PLAT/ MTN VIEW TIMBERS

A request by Highlander Development, LLP for Preliminary Plat approval of Mountain View Timbers Subdivision, a twenty-three (23) lot single-family residential subdivision on 38.49 acres. All lots in the subdivision are proposed to have individual or multi-user water and individual septic systems. The property is located at 973 Mooring Road.

STAFF REPORT Kirsten Holland reviewed Staff Report FPP 05-80 for the Board.

Lapp asked about parkland dedication.

Toavs asked about improvements to be made to Mooring Road.

Staff replied to both questions.

APPLICANT Dawn Marquardt, of Marquardt Surveying, represented the applicant. She walked the Board through the timeline of this project and noted the things that were addressed and taken into consideration. She addressed previous Board questions in regards to upgrading roads and the parkland vs. open space.

Toavs asked about upgrading the roads to County standards.

Marquardt and the applicant responded.

Fleming asked about the park and if it would be maintained by the homeowners.

Hines commented on fire suppression.

Brian Lanius, of Environmental Consulting, handed out a new drawing of the drain fields to the Board and talked about meeting DEQ requirements. He elaborated on slough and wetland contamination concerns of a neighbor.

Holland (Staff) indicated that Mr. Ottman (neighbor) wanted to see a stop sign at Tavern Lane.

AGENCIES None present.

PUBLIC COMMENT Rick Greer, 119 Mooring View Lane, is concerned with Mooring slough because it's almost full of water. He talked about septic, groundwater, high water table in the area, storm-water drainage, and contamination. He talked about the wetlands area and wildlife. He is also concerned with traffic and the condition of the roads.

Bill Neston, is concerned with dust problems and thinks the road needs to be paved. He also expressed concern regarding wells and runoff.

Randy Bowman, 855 Mooring Rd, talked about road concerns and the blind spots on Tavern Lane. She said Mooring Rd has been "beat up" from large vehicles traveling from, what she believes to be, an "illegal" gravel pit. She thinks 24 lots are too dense for the area, which could potentially upset the wildlife and character of the area.

Mary Beth Arnold, 941 Mooring Rd, has concerns about the roads, wells, and school capacity.

Patty Holm, 849 Mooring Rd, is concerned with density in a rural area, threat of activity associated with multiple home developments, disruption of connectivity for wildlife, roads, air quality, decreased quality of life for existing residents, depletion of the aquifer, and disruption of wildlife. She thinks the Board should request an impact study of the area.

Tim Hilt, 699 Trapp Rd, is concerned with traffic, density, and spread. He would like to see open space and character of areas maintained.

Steve Stahlberg, 118 Mooring View Lane, pointed out several things he believed were stated incorrectly. He referenced Wood Ridge and Painted Horse Subdivision and requested denial of this project.

Norm Merz, 710 Trap Rd, is concerned that high-density developments will set precedence.

Rob Stahlberg, 1093 Mooring Rd, agreed with everything previously stated. He said they protested a subdivision north several months ago. He said Tavern Lane won't benefit from being widened.

Jon Ossweiler, 78 Aspen Court, has no interest in the project but spoke as a friend of Highlander Development. He talked about wildlife, wells, dust issues, covenants, and schools.

Laura Miller, Columbia Falls Stage Rd, talked about proper urban expansion and said she would like to see some rural areas kept open.

STAFF REBUTTAL

Holland talked about a previously denied subdivision and the concerns of the neighbors. She talked about the recommendation on this proposal.

APPLICANT REBUTTAL

Dawn Marquardt pointed out the proximity of Painted Horse and Wood Ridge subdivisions to the proposed development. She discussed the road concerns and the developer's willingness to upgrade the roads.

MAIN MOTION

Fleming made a motion seconded by Toavs to adopt Staff Report FPP 05-80 as findings of fact and recommended denial to the Board of County Commissioners.

BOARD DISCUSSION

Fleming spoke to the reasons behind her recommendation for denial. She said the roads are in horrible condition, there are traffic and dust concerns, and precedence would be set for high-density development.

Toavs likes Wood Ridge and thinks another development will be coming soon in that area. He would like to see larger lot sizes and

commented on the road issues.

Robertson talked about water supply and septic systems.

Lapp asked Staff questions about lot size vs. density.

Robertson asked questions about neighboring subdivisions and their access roads in regard to paving.

Holland (Staff) answered questions from Board members.

Toavs commented on lot size and open space.

Cross doesn't think this is an appropriate place for this development.

MAIN MOTION ROLL CALL

On a roll call vote the motion passed 5-3 with Larsen, Dziza, and Lapp dissenting.

ZONE CHANGE/ MCMURREN-KLEMPEL

A Zone Change request in the Bigfork Zoning District by Dale McMurren, KSG Holdings, (Joe and Gina Klempel), and Eat 385 LLC, (Edward and Valerie Radtke), from AG-20 (Agricultural, 20 acres) and AG-40 (Agricultural, 40 acres) to SAG-5 (Suburban Agricultural). The property is located approximately ¼ mile east of US Highway 35 off Coverdell Road, and contains 266.45 acres.

STAFF

Traci Tull reviewed Staff Report FZC 05-26 for the Board.

Robertson asked about the possibility of an existing easement as a secondary road.

Larsen said road issues are addressed during the subdivision process.

APPLICANT

Johna Morrison, of Schwarz Architecture & Engineering, represented the applicants. She presented maps that showed the property being surrounded by SAG-5. She said both Klempel and Radke have no intention of developing at this point. They were hesitant to include the gravel pit portion as it is such a "hot ticket" item right now. She explained the history of KSG Holdings and the Conditional Use permit they received previously and talked about the paving of Coverdell Rd.

AGENCIES

None present.

PUBLIC COMMENT

John Merlet, 715 Park Lake Dr, is in opposition and explained his original reasons for requesting denial. He talked about the gravel pit having 10 years of use before having to be reclaimed. He discussed a study done by DEQ on this property. He thinks the applicants should have to wait until the gravel pit ceases operation to be able to have a subdivision.

Paul Eslick, 300 Swan Hwy, is in support of this zone change. He

thinks it fits the area well and that the landowners have the right to think forward and make their assets as valuable as they can be.

Lee Proctor, resident of Coverdell Rd, owns property behind McMurren. He has a general concern with large parcels being developed into small pieces. Once a zone change is done, the possibility of development is wide open and will probably happen sooner rather than later. He doesn't agree with the Bigfork Committee's decision.

Russ Crowder, of American Dream Montana, spoke neither against nor in favor of this project. He spoke highly of the BFLUAC and said they were a very professional committee.

STAFF REBUTTAL Staff stated Mr. McMurren is the only applicant who plans on developing his property in the near future.

APPLICANT REBUTTAL Morrison reiterated that Mr. McMurren is the only one planning development in the near future. She clarified that subdivision and zone change are 2 separate processes.

MAIN MOTION Fleming made a motion seconded by Dziza to adopt staff report FZC 05-26 and recommended approval to the Board of County Commissioners.

BOARD DISCUSSION Lapp talked about the letter received from the Bigfork Water & Sewer District and said service to these properties would be feasible.

MAIN MOTION ROLL CALL On a roll call vote the motion passed unanimously.

PRELIMINARY PLAT/ ANTLER BLUFF A request by John W. and Kathleen K. Ray for Preliminary Plat approval of Antler Bluff Estates, an eleven (11) lot single-family residential subdivision on 15.41 acres. All lots in the subdivision are proposed to have individual water and septic systems. The property is located at 110 Hellman Lane and 3380 Columbia Falls Stage Road.

STAFF REPORT Traci Tull reviewed Staff Report FPP 05-83 for the Board.

Lapp addressed road concerns and the cul-de-sac location.

APPLICANT Bryan Long, of Long Engineering, represented the applicant. He discussed the details of the proposal and compared it to several other developments previously approved. He also talked about wildlife, the Master Plan, and fencing.

Toavs asked about an existing approach on Lot 1. Long stated it is an existing approach that was a requirement of Save-Me-Ten Acres.

AGENCIES None present.

PUBLIC COMMENT

Mike Bartkoski, 105 Hellman Lane, is opposed to this subdivision. He stated his reasons for being against this development including a dangerous intersection near his property. It would be dangerous to add more houses that access that road. He said the area doesn't have the infrastructure for more development.

Laura Miller, Columbia Falls Stage Rd, presented several maps to the Board to display the character of the area. She asked if Charles Lapp would step down on this project due to close proximately of his property to this development. She wants to see the character of their area maintained and talked about road issues.

Virgil Peterson appreciated the applicant's concerns regarding lighting and fencing. He talked about open space, small lots, road use.

Richard Davies, 570 Rainbow Drive, is concerned with open space and would like to see the Board add a condition regarding fencing.

Tim Gilk, 699 Trap Rd, talked about density in the area. He is concerned with additional vehicle trips per day and the already busy intersection. He talked about the spreading of high density development and wants to know at what point it stops.

Norm Merz, 710 Trap Rd, wanted the Board to recognize the precedence that's being set. He would like to see the character of the area maintained instead of high-density development.

Lynne Vanhorn, 151 River Butte Drive, read her letter for the record.

Nancy Smithe, 3249 Columbia Falls Stage Rd, would like the Board to consider safety issues and the best interest of the area. She would like the Board to deny this proposal until concerns are addressed.

Sabrina Jackson, 480 Badrock Dr, referenced the Kokanee Bend area and doesn't think the smaller size parcels fit. She thinks "piecemeal" development needs to stop somewhere because growth can, and will, happen fast. She is concerned for children's safety and water issues.

Susan Bartkoski, 105 Hellman Lane, moved here for the rural setting to get away from high-density development. She showed a sketch and photos to the Board. She said 106 homes use Hellman Lane as their primary access, which goes through the dangerous intersection. She is concerned with roads and traffic and thinks infrastructure needs to be in place before development.

Russ Crowder, of American Dream Montana, talked about the growth in the valley. He talked about the road issues. He said that developers are meeting demands of the growing population. He said Flathead

County may need better leadership and budget management. He spoke neither for nor against this project and presented some statistical and legal information. He discussed impact fees in regards to condition #13 of the Staff Report.

STAFF REBUTTAL

Tull responded to Russ Crowder's statement regarding impact fees.

Harris responded to the topic of impact fees and referenced MCA 76-3-510.

APPLICANT REBUTTAL

John Ray, applicant, thanked the neighbors for expressing their concerns. He talked about his family and the history of purchasing the property. He said they live on the property and plan on staying there so he wants a good plan.

Brian Long addressed some of the neighbor's concerns and clarified a few things.

MAIN MOTION

Dziza made a motion seconded by Lapp to adopt staff report FPP 05-87 and recommended approval to the Board of County Commissioners.

BOARD DISCUSSION

Lapp pointed some things out on the maps and referenced a letter that was sent to rally people together in regards to this proposal. He said the only people that received this letter owned small parcels; the only large landowner that received a letter, was Nancy Smithe. He said he put a bunch of survey stakes out in his field just to see what kind of reaction he would get. He said no one asked him about it but waited until a Board meeting to make an issue of it. He said that if people don't want a piece of property developed they can buy it to prevent that.

MOTION
Condition #23

Lapp made a motion seconded by Toavs to add a condition stating the developer needs to work with the school district to make a safe school bus turn-around.

ROLL CALL
Condition #23

On a roll call vote the motion passed unanimously.

BOARD DISCUSSION

Lapp raised a question about road length variance.

MOTION
Condition #1

Fleming made a motion seconded by Dziza to revise condition #1 to read: The applicant shall obtain a variance for road length (Section 3.9(a)(1) FCSR).

ROLL CALL
Condition #1

On a roll call vote the motion passed unanimously.

MOTION

Hines made a motion seconded by Robertson for the applicant to

Add Condition

remove the existing approach on Lot 1.

ROLL CALL
Add Condition

On a roll call vote the motion passed unanimously.

MOTION
Condition #22

Hines made a motion seconded by Robertson to add condition #22 to read: The center line for the proposed Antler Bluff Lane shall line up with the center line for Columbia Falls Stage Road.

MOTION
Condition #22

On a roll call vote the motion passed unanimously.

MOTION
Add Condition

Hines made a motion seconded by Robertson for the applicant to work with the Flathead County Road Department to make the intersection a 4-way stop.

BOARD DISCUSSION

Larsen said it wouldn't be a good idea to make the traffic on Columbia Falls Stage come to a complete stop. He could not support this motion.

ROLL CALL
Add Condition

On a roll call vote the motion failed unanimously.

MOTION
Delete Condition #13

Lapp made a motion seconded by Toavs to delete condition #13.

BOARD DISCUSSION

Dziza asked for clarification from Staff on condition #13.

Harris (Staff) responded.

Larsen said he doesn't like to see conditions that simply "recommend" something. He would like to see the applicant contribute to upgrades directly attributed to their development. He said an impact analysis would be appropriate to determine their impact.

ROLL CALL
Delete Condition #13

On a roll call vote the motion passed unanimously.

BOARD DISCUSSION

Lapp asked the applicant questions in regard to the cul-de-sac.

The applicant responded and discussed several other things with the Board.

MAIN MOTION ROLL CALL

On a roll call vote the motion passed 5-3 with Fleming, Robertson, and Hines dissenting.

OLD BUSINESS

Lapp commented on the Riverdale motion to table the project. He didn't think there was a main motion on the table to begin with. He read a section of Robert's Rules of Order saying he could call for a 'point of order' if he thought something was done out of order.
The Board discussed Robert's Rules of Order and the different types of

motions. Lapp read sections from the book.

Dziza ruled that Lapp's point of order is correct, stating that a correct motion can be made and that the previous motion to table is void.

Cross wondered what would happen if Lapp's interpretation was incorrect.

Dziza said this whole issue could be cleaned up tonight.

Larsen recused himself from voting on anything to do with the Riverdale project.

MOTION
Riverdale cont.

Hines made a motion seconded by Robertson to have a continuation of the Riverdale project until May 24th, 2006, with an additional public hearing in conjunction with Kalispell Planning, so that it may be thoroughly and comprehensively reviewed.

BOARD DISCUSSION

Harris (Staff) said the County Attorney was willing to review the DVD of the Riverdale project and give his interpretation of the motion that was made. He discussed the public hearing process and the law.

Toavs said there has to be some sort of timeline the Board has to follow in regards to making a timely decision.

Hines said there is no review time set by law on Master Plan Map Amendments however, the Board needs to act in a timely fashion as the applicants have a lot at stake.

Ken Kalvig, spoke out of order, and asked how that motion was different than the original motion to table.

Hines said there would have to be another public hearing to include the City of Kalispell.

The Board continued to discuss the motions that have been made and the proper way to do them.

Fleming said she was confused about everything. She would rather have the County Attorney review the tape, clarify the issue, and walk the Board through what they should do. She said it's turning into a bigger mess.

Harris (Staff) didn't think there was a problem with the motion made last week.

Lapp continued to read from Robert's Rules of Order to help the Board understand what they were supposed to do. He wondered if they even operate correctly.

Kathy wanted Jon Smith to review the tape and give the Board insight.

Ken Kalvig, spoke out of order, said point of order was called and wondered what the Board was doing.

Hines reiterated his motion.

The Board continued to discuss motions and how to take action.

Fleming said it would be "going too far" to include Kalispell Planning on a County project. The Board has a hard enough time making decisions on their own let alone including Kalispell on a project that's far outside the city limits.

ROLL CALL
Riverdale cont.

On a roll call vote the motion failed unanimously.

MOTION
Approve Riverdale

Lapp made a motion seconded by Toavs to adopt Staff Report FPMA 05-07 as findings of fact and recommended approval to the Board of County Commissioners.

There was no vote on this motion as a subsidiary motion was made to table the project.

SUBSIDIARY MOTION
Table Riverdale

Robertson made a subsidiary motion seconded by Fleming to table the Riverdale project for a period not to exceed 60 days.

ROLL CALL
Table Riverdale

On a roll call vote the motion passed 4-3 with Dziza, Toavs, and Lapp dissenting.

NEW BUSINESS/ PUBLIC COMMENT

Ken Kalvig, 126 Lambert Court, talked about the technical rules by which this project has been dealing with. He thought when a project was tabled it had to be date certain. He asked for someone in the room to answer when the Board would take this back up, and if not for someone to call ' point of order'; his clients would like to know.

Hank Galpin, 1885 Stillwater Rd, is a farmer in the Riverdale area. He was very upset and stated the Board's performance is "pathetic" and that they paid a lot of money to get an answer from the Board. He said they have followed every rule and jumped through every hoop and still haven't been treated fairly.

Jan Glane, 3630 Highway 93 (co-owner Majestic Valley Arena), agreed with Mr. Galpin's comments and said the Board needs to respect the Planning Office and their recommendation. She said they have abided by every request and are flexible and if the Board has issues they need to sit down with the applicants and work those things out instead of

tabling the project. She asked why there is even a Planning Office because the Board doesn't listen to their recommendations. She said business is not done in this manner and if the Board doesn't give them a date for continuation there will be a lawsuit. She reiterated the applicants are both reasonable and flexible and that tabling it again would be an abomination and abuse of power.

Bob Parker, 6495 Farm to Market Road (co-owner Majestic Valley Arena), said they have been here two Wednesday nights is surprised the Board doesn't know the difference between a plan, subdivision, and zoning. He said the Board sits around and argues like it's in the final stage and then tables it. The plan being requested is only the "beginning stage" and there will be plenty of time to talk about other issues. It's a neighborhood plan put together by the people who live in that area as a vision of what they foresee happening with their property in the future; the Board has no right to stop that.

Gary Krueger, 805 Church Drive, spent 4 years in the FFA and had to learn Robert's Rules of Order. He believed when the last meeting was adjourned without a proper motion, the Board actually sent it on to the County Commissioners.

Herb Koenig, 430 Church Drive, talked about growth and said they are trying to plan ahead by initiating this plan because people are coming. He said the mentality of owning a piece of property and wanting no one else around you has to stop because growth is inevitable.

Bruce Tutvedt, 2335 West Valley Drive, said there is a "broken process" and that someone needs to sit down and reasonably talk with the applicants. Concerns need to be addressed and someone needs to take the time to look at this project. He thinks there needs to be a better process and policy and said there is a common ground and it shouldn't be difficult to come together.

Vonnie Koenig, 430 Church Drive, asked the Board to reconsider their motion and either make a decision to recommend approval or denial so the applicants have the chance to move forward. She said they have all "had it", are tired, and don't want it to be put off for another 60 days.

Michelle Siderius, 3790 Hwy 93 N (Raceway Park), doesn't feel the farmers have gotten the respect they deserve. She said they have been waiting and fighting all their lives to make a decent living and now the Board is dictating the outcome of their future. She said this project needs a decision tonight.

Russ Crowder, of American Dream Montana, talked about planning and politics.

Johna Morrison, of Schwarz Engineering, stated she has worked on many other neighborhood plans from the government side. She said that neighborhood plans are supposed to be general in nature and said the planning Board is asking for too much detail. She said the neighbors in this area are finally coming together and agree with this plan.

Ken Kalvig, said the statute couldn't be simpler and said the Board is "botching it." He read sections of MCA, particularly 76-1-602, 76-1-603 in regard to the public hearing and asked the Board to follow state law.

Harris (Staff) said the motion the Board passed doesn't allow for additional public hearing.

Staff and the Board discussed the future hearing for Riverdale.

Harris handed out an agenda for the joint planning board meeting on March 22, 2006.

ADJOURNMENT The meeting was adjourned at approximately 1:30 a.m. on a motion by Robertson seconded by Cross. The next meeting will be held at 6:00 p.m. on April 12, 2006.

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Jeff Larsen, President Jill Goodnough, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 5/10/06