



Anaconda-Deer Lodge County Planning Department

PLANNING BOARD MINUTES

Monday, July 20th, 2020

ADLC Courtroom

Meeting called by Rose Nyman,
Chairperson
Type of meeting Public Hearing /
Monthly Meeting
Minutes taken by Carlye Hansen

Members Present: Rose Nyman,
Chairperson; Frank Fitzpatrick; Bob Wren;
Craig Sweet; Annette Smith; Colleen Riley
(via telephone)

Members Present: John Lombardi, Vice-
Chair, excused Mary Kae Eldridge; Art
Villasenor

Staff: Carl Hamming, Planning Director;
Gayla Hess, Planner I; Carlye Hansen,
Planning Department Secretary

Guests Present: See sign-in sheet and
electronic call-in log

AGENDA TOPICS

Call to Order

Meeting was called to order at 6:02 pm by Rose Nyman, Chairperson, with Roll Call done by Carlye Hansen, Planning Department Secretary.

Approval of Minutes

June 8th, 2020

Motion was made by Bob Wren to approve the minutes from June 8th, 2020; seconded by Craig Sweet. Motion passes 6-0.



Anaconda-Deer Lodge County Planning Department

Public Hearing #1

PUBLIC HEARING on a request by Mike Johnson of Show Me Anaconda, LLC, to develop a 74-unit hotel with convention center and an attached restaurant in Lot 1-A of the East Yards Frontage Minor Subdivision. Property is legally described as "S01, T04 N, R11 W, C.O.S. 456A, ACRES 4, TRACT 1-A EAST YARDS FRONTAGE."

Staff Report

Carl Hamming, Planning Director, reviewed and presented the staff report put together by he and his office. There are recommendations of approval being asked for by the Planning Department (*please see attached*).

Applicant Report

Mike Johnson, Show Me Anaconda, LLC, 12 Holley Lane, Butte
Mr. Johnson stated that Mr. Hamming went through most of the documents in the package, and then stated that it has been a privilege to be able to get this far with this project development and working with the County has truly been a pleasure. He states that they have made a lot of progress in a very short period of time and he just wanted to thank everyone for their time and effort regarding this project. They are hoping to break ground as soon as the process is complete. They are hoping to be open within a year from now, hopefully by late spring 2021.

Questions from the Board

At this time, there was a significant and extensive conversation held between Mr. Johnson and the ADLC Planning Board. At this time, with the social distancing aspects of this meeting due to Covid-19, and with having a venue as large as the ADLC Courtroom, it was very hard to discern most of the questions that were posed and the answers from Mr. Johnson, the Planning Board, and CEO Everett.

Proponents to the Project

1. Bill Everett, Anaconda-Deer Lodge County CEO, 800 Main Street, Anaconda
Mr. Everett made a statement and gives a history of the hotel, its location, and he presented the facts that he had about this area and in regards to the survival of the golf course. When they brought in managers to look at management of the golf course the first thing that each manager stated was that ADLC needs a place stay and that money cannot be made by folks playing just one round of golf per day. They stated you need to get them in for multiple days of golf, golf trips, golf tournaments, etc. He discussed that one of the things that Atlantic-Richfield took from the community when the Anaconda Smelter shut down was the economic value to the community and the tax base. What they paid in taxes paid for our schools, our streets, our lights, etc. Part of the settlement that we were able to reach with Atlantic-



Anaconda-Deer Lodge County Planning Department

Richfield was that they would help to regenerate that tax base. Through that, hopefully many jobs and amenities will come forth, but really it is about replenishing the tax base. That is how Superfund negotiations work, they must replace what they took from you when they left. When they talked about the site, they stated that this was the site to build on. All of the experts were in and they all have an idea and they all have a way to spend your money. The great thing about this is that we didn't have to pay for this, Atlantic-Richfield brought in and paid for these experts, whether it was for land development, or having the experts, Atlantic-Richfield paid for this as they want this to be done correctly. There was money put into economic growth twenty some years ago and at this time there is nothing to show for it. They were all fly-by-night companies and none of them had a track record and their business plans were bad. These were all things that we made sure we have had accomplished before we brought forward the idea of the hotel. We put out the proposal and have been talking to Mr. Johnson now for a couple of years. Mr. Johnson offered everything that we asked for and we had one heck of a wish list, thinking that this would be shot down. Mr. Johnson matched everything that we asked for. The whole team has been working really hard, especially over the last several months trying to move this forward. Everything is looking fantastic. Everything is clicking along, however, we have no room to fail here. All of this is about timing and to be able to be open in the spring of 2021 and the items we need to do before now and then as a local government is huge. However, everything is going really well. We have an amazing team, they have a fantastic team, and Mr. Johnson stated that this is about the best group of people and County he has ever been able to work with. They have built multiple hotels, so they do know what they are doing in this regard. This is not their first hotel, and we are learning a lot as we go. This is the largest, non-utility project or government project in Anaconda in excess of fifty years. This is also new as far as planning, as they did not have a Planning Department fifty years ago to review plans for such large projects. The County is on-board with DEQ, the EPA, Department of Transportation, and he is feeling that that this will happen.

Opponents to the Project

1. Alan Shewey, 202 1\2 Pennsylvania, Anaconda

Mr. Shewey started out by saying that opponent does not seem to be the appropriate term as he is not necessarily against the hotel, the convention center, and/or the restaurant, but he has a lot of questions that he does not have answers for at this point. He is looking at the process and by way of background, he is just here as a private citizen and he does not represent any organization, and has no particular ax to grind. He did spend a year in a community as a Planning Director on a consulting basis, so he does have some feel about how an application for this sort of thing comes together and this has been a difficult one. He looked through the application and he finds this to be very brief. The plans are unreadable, and he states that those plans



Anaconda-Deer Lodge County Planning Department

could be canned plans that may have built the other hotels in Great Falls or Bozeman. He couldn't even read anything with a magnifying glass. He then questioned a survey that was done and he does not know if this had been approved by the County Commission, or the staff, or just how that happened, but would like to look at the document on the Power Point. He is confused over the application as the application stated that Show Me Montana, LLC, has been given 20 acres, but then it states that they will do 3.99 for the hotel, but then that development is 13.7 acres, so he is not sure where the 6.2 acres is. Hence, this is why he is so confused on what has been submitted. Are we viewing the 3.99 acres, the 13.7 acres, the 20 acres, or all of them? He has questions also on who authorized this survey as there had been two prior surveys that were done by an organization called SCRC and there were a lot of issues in regards to land and he doesn't see any of that in this particular application. There is no reference anywhere to SCRC and there are overlapping lands. There was Commission authority to write up an agreement and he doesn't see any of that in this application packet

His second issue is he feels there is a curious fact in the packet in that Mr. Johnson signed as the owner of the property. He questioned Mr. Johnson on his ownership? Mr. Johnson stated that he does not officially own the land. Mr. Hamming responded that as part of the buy/sell agreement that is being worked out with the County, part of that is authorization for the future owner to be able to work through the permitting process, so that has been dealt with, and this is why he signed the documents.

His third issue is access to Hwy 1. He notes that there is a divided highway there and this is a major highway. Montana DOT is going to have a real interest in the number of parking spaces that there will be for this facility. There is a very strong chance that MDT will require an access permit, in fact, they will want to have access discussions. He is not sure if they have done that or not, but these access discussions will get them into issues associated with Polk Street and with the proposal for Filmore Street, which is at the end of that subdivision. He states that they could be very easily looking at warrants which is MDP's word for rationale for a signal there. There will be substantial traffic that will turning from West Bound Hwy 1 onto Polk Street initially with the hotel. He would like to know where the information is from MDT. The only information offered in the application relates to what the County's head of road crew stated in regards to three access points, but Mr. Shewey only sees the two, one off of Hwy 1, and one off of Polk Street. He is really wondering what the downside to the County is in terms of dollars. A full intersection signalization is \$500,000.00. He feels that if you look at this and then switch to utility relocations



Anaconda-Deer Lodge County Planning Department

and he thinks that he has heard, and it sounds like he has read, that the sewer will tap into 24 inches on Hwy 1, storm drains still have to be worked out, but probably will need some sort of piping and ditching and some sort of soil treatment. There will be a looped waterline on Union Street, and there will be power relocation and gas relocation along with street construction. He looks at all of this and he sees no financial plan and no implementation study, no cost estimate, no feasibility study, but he does see the possibility that there is \$1,000,000.00 in utilities and signalization for this process and what he is wondering is whether the County is on the hook for all of this and if they are willing to pay the bill from economic development funds that they have coming in. He is asking himself whether or not the Commission is aware of that or the Planning Department, and he is wondering if they are willing to step up to the plate for the \$1,000,000.00. Again, he reiterated that he cannot read anything as it is so garbled on the application. He is wondering about an application that comes with plans that you cannot see. The plans have three sketches. There is a site plan, but no information on it. He just doesn't see how the Planning Department evaluates the proposal if you cannot read it.

He states that everyone on the Planning Board, including the Planning Director, have some understanding of the history while looking at these documents, but he wonders how the public can be expected to understand what is there. He found this whole application to be very brief, unreadable in terms of plans, he doesn't find a feasibility study, he does not see a cost estimate, he doesn't find a finance plan, he doesn't see a community impact analysis, doesn't know how many jobs are being created, doesn't know what the public/private partnership is or what the value of the \$3,000,000.00 allocated for the project is? He also doesn't see community and private investments. He is not sure who is putting money into this, other than the county. Is it just Mr. Johnson? What he is asking himself is whether or not this application is ready for the prime time. He thinks there are a lot of holes here and he guesses if the County is going to step up and say whatever the loose ends are, that we have Economic Development funds that we are getting from Atlantic-Richfield, will we fund this project with those? He feels that there needs to be a feasibility plan or at least a plan that would show what the market is, a market analysis, rather than an appraisal that truly states that there is room in this community, not only for this hotel/convention center and restaurant, but also for the other four hotels that are here. If the County is creating a tax base, what happens if the other four hotels go out of business? He feels that the tax base in Anaconda is going to be coming back naturally and if you look in the paper, see if you can find a house to buy in this town. He states that the values of the homes in ADLC are going to rise and that is the where the tax base will be, and that, he understands, is what Mr. Everett is so concerned about.



Anaconda-Deer Lodge County Planning Department

In summary, he just thinks that there is a whole lot of work that probably has been done, maybe some of this is not known to the public, but there are a lot of items out there that are more or less non-funded issues that we just don't know about. Again, he is for the hotel, and if the Planning Board thinks that this all looks good, and the Commission is willing to fund no matter what happens, even though we really don't know what the costs are or the feasibility is, which he states is not included in the packet, maybe everything is fine and this will just go forward and it will all be done and come out just fine.

He said that Mike Johnson seems like a very nice fellow and he seems like he has the hotel thing figured out, but allocation, based on a request for proposal with no information about the other parcels, much less the 20 acres, one would wonder whether that is a good use of the lands that are there in terms of an allocation or commitment.

2. Donna Shewey, 216 1\2 Pennsylvania, Anaconda, representing Smelter City Recreation Complex

The reason why Ms. Shewey is here is because her group does not understand why they are not part of the application process and she wanted to start by saying that they don't oppose the hotel. She thinks that they would be great partners, they want the hotel as a neighbor, and they would think the hotel would want them as a neighbor. They feel that it would be happy marriage if you look at the recreation center. For example, most hotels would give a punch card to go to the recreation center down the street so they don't need to build a swimming pool or a fitness center, etc. She also notes that the conference center for the hotel is able to manage 200 people. She noted that the recreation center could handle up to a maximum of a roughly 2,000. She feels that they would be a great partner to any sort of economic development brought in and could take overflow for the hotel. She is, however, taken back by this application. She stated that three years ago they started the process with the Planning Department and started in September of 2018 with a letter and request to the Planning Department. After that, towards the end of November, there were emails exchanged and there was a meeting with Chas Ariss, former Planning Director, and Bill Everett, CEO. On April 8th, 2019, they went before the Planning Board with a very extensive packet. It had a feasibility study, an impact study, cost estimates, business plan, had the number of jobs that would be created, and the payroll that the project would bring into this community, which was \$1.2 million with twelve full-time jobs and roughly 25 part-time jobs. None of that information is included in the hotel packet, yet they were required to bring this



Anaconda-Deer Lodge County Planning Department

before the Planning Board. She will mention that they are non-profit, and it was made clear to them by the County, that it is all about taxable profit, that it is not about non-profit, but it is about taxable income by having taxation on property. After the meeting with the Planning Board, the Board voted 10-0 to move the project forward to the Commissioners. In April of 2019, the property was advertised and in August of 2019, it was advertised again. The Warner's came in with a proposal and it was for a hotel project and some retail spaces. They all sat down and the decision was made that Smelter City Recreation had already been to the Planning Board and had already been through the process and they were not going to do anything in a joint effort with Mr. Warner, as this would hold up the process of Smelter City Recreation and that they were already there, having gone through the system. On August 6th, 2019, the Planning Board forwarded to the Commissioners, the plan. Again, this was the full packet of information. There was a land agreement, there was a letter of support given to the Complex. There were also 15 letters of support for the project and the packet for the hotel has none. They had everyone from the Job Corp, Community Hospital of Anaconda, the school district, and the list goes on and on, including several service organizations. At that time the Commissioners directed the CEO to work with the Smelter City Recreation Complex on a land agreement. It is now a year later and they have been working with the CEO and it has been held up. The first reason was that they asked for a reverter clause, and the CEO stated that he would not accept a reverter clause. Then it was a MOU (memorandum of understanding) and letter of agreement and this was rejected. The third time that they met, they were told they needed to show \$3 million dollars before the deed would be transferred. This has been sitting in an attorney's office for the last four or five months. Last week, at the Commission meeting, this was brought up, and it was stated that our CEO will have the new agreement before him from the attorney and that it would be forwarded on the County Commissioners. She states that the bottom line here is that three years later, thousands of hours of citizens volunteer time, and they have been treated differently than a developer. It is not that they don't love Mr. Johnson's project, they love the project and think they are great neighbors. When the Warner's came in, the Planning Department put us in a meeting together. We have asked for a meeting with the developer and have been told that the developer does not want to talk to them or having anything to do with them. So, what they are asking is, and they want it to go on record, is that they are not against the project, but the process is entirely different and there are millions and millions of dollars on the line and it seems like this has just been rubberstamped all along and they have been held up. The County doesn't even show where their property is. She asked if anyone can show them where Smelter City Recreation Complex's 30 acres, which the



Anaconda-Deer Lodge County Planning Department

Commissioners gave them, 15 acres with another 15 contingent, located in the subdivision.

Mr. Hamming stated that he dug into the history of this a little bit today. He understands that the survey that we have here was a preliminary COS for an amended plat that Tom Moodry supplied for the Recreation Complex, however, this was never filed or reported.

Ms. Shewey stated that they were supposed to be exactly where the hotel is now to be located and they were asked to move and they did a survey. They paid for that survey, did a conceptual site plan for \$10,000.00 and the County came back and asked them to move. They then moved and again, there is a preliminary survey that was done. At that point, they were told that the entire site would be master planned before anymore development would come through and that our survey would become a part of that. Mr. Moodry did the preliminary survey that you see up there today. This is one of the questions.

Mr. Sweet interrupted and stated that from what he could recall was that the Board agreed to roughly 30 acres, or 15 and 15, His understanding was that it was back towards Smelter Drive, but that it was contingent on the Recreation folks raising the money. It had nothing to do with just giving them the land and there was a MOU and, yes, the land is there, and you can start fundraising knowing the land is there. There are a lot of acres out there and he stated that the Rec Center could go almost any place. He says that the 15 acres is probably a little more realistic than 30 acres, but there is plenty of area out there.

Mr. Hamming stated that 20 acres are conveyed to ARCO from the Settlement Agreement, and they are going to take a little bit of acreage along the slag pile for regrading. There will still be roughly 50 acres left for the Rec Complex.

At this point, the microphone may have been turned in a different direction, and Ms. Shewey could not be heard.

She then stated that they are 100% in support of the hotel and they just want to be included as part of this since they have been in the process first.

3. Ed Delaney, 701 East 5th Street, Anaconda



Anaconda-Deer Lodge County Planning Department

Mr. Delaney is the current president of the Smelter City Recreation Complex. He said that the vision of this group is to create a facility that has a large arena that would be able to handle any event you could envision, an aquatic center, and a community center. All of these would be a tremendous asset to this community. Placing this next to a very nice hotel would make all the sense in the world. No one on the Recreation Complex Board is against the hotel. He noted that there were 15 letters of support from virtually every organization in the community, whether it be the Job Corp, Community Hospital of Anaconda, and the Elk's. They have completed two surveys, and they understood that the most valuable piece of property is where the hotel is going to be built and we didn't have a problem moving it and accepting a piece of ground below that. They then had an additional survey, both surveys of which they paid for. They spent \$10,000 on a conceptual drawing from architects in Seattle, WA, that showed how this would be laid out, what it would look like, and what the vision is. They spent another \$10,000 to Ballard and Associates out of Denver, CO, who did the feasibility study including a market analysis, the number of jobs anticipated, and the expected annual payroll. He did research of similar facilities to see what the fee structure should look like. They did their homework. Because or being put off, they are incurring the cost of a lawyer. He stated that they followed the rules as far as appearing before the Planning Board and getting their approval. They would ask that before you move the hotel application forward, that you tell us where the Smelter City Recreation Complex is to be built.

4. Alan Shewey

Mr. Shewey then approached the Board with a file of comments that he would like sent to the Planning Board and to the County Commissioners. This file was given to Carlye.

Questions from the Board

Ms. Smith spoke, but unable to pick up or understand her due to social distancing.

Mr. Sweet made comments in regards to economic development. He said that this hotel will not save Old Works. He feels that all of that discussion is not what we are voting on. He states that what we are voting on is whether or not this is a suitable location, whether the planning is right, environmental issues, etc. To him, there are so many loose ends and so many questions that need to be answered. There are a lot of things, information that he feels that the Planning Board needs, or that he needs, before he can vote yes. When they do vote, he will be voting no as he hates the idea of another hotel, doesn't think that we need a hotel. He just does not have enough information regarding the transportation issue and Hwy 1, an environmental



Anaconda-Deer Lodge County Planning Department

assessment, and other loose ends where he can support this project. He feels that they need to take their time, do a little bit more work, and give us more of a complete package, so that the Board can make a good, informed recommendation to the County Commissioners.

Mr. Fitzpatrick spoke, but unable to pick up or understand him due to social distancing.

Mr. Wren spoke, but unable to pick up or understand him due to social distancing.

Ms. Nyman stated that for herself, it is her understanding that County tax dollars will help to pay for the infrastructure for the work that is being done in the East Yards and this funding is not coming out of the settlement money. She is just expressing what she is thinking. The former Planning Director made it very clear that the land is \$1000 an acre and that this was a bargain. We have two commissioners here and the CEO and she is asking them to think about donations to other projects that come forward for projects at the same \$1000 per acre and she is asking them to think about this.

She did pose a question to Mr. Hamming. She believes that he stated 50 acres were available. Mr. Hamming noted that it would be plus or minus 50 acres that would be available. We don't know at this point what the grading plan from ARCO will be and how it will affect the acreage involved with that. Once again, unable to pick up or understand her/him due to social distancing. Rose's personal opinion at this time is that there is a discrepancy with the land agreement, but she has felt that way since before the hotel project came forward, and she asked (unable to pick up or understand her due to social distancing).

Staff Remarks

Mr. Hamming stated that obviously is new here in the community so he doesn't have the full history of the SCRC. He just wants to make sure that nobody feels that they will never get the opportunity to come in and sit down and talk with the Planning Department and he wants folks to know that the Planning Board does not take these things lightly, and that all have access to the Planning Department and their staff. (Unable to pick up or understand him due to social distancing).

Donna Shewey



Anaconda-Deer Lodge County Planning Department

Ms. Shewey stood up and spoke, but did not come forward, so unable to pick up or understand her due to social distancing.

Ms. Hess just wanted to say that she appreciated Mr. and Mrs. Shewey's comments and questions, as well as Mr. Sweet's concerns, but she would also like to say that not everything that was submitted by the developer was included in the packets.

We apparently lost Ms. Riley on the line due to connectivity issues.

Rose stated at this time that there would be four options for a motion:

1. To approve the Planning Department's recommendation to pass this onto the Commission with the conditions listed by the Planning Department.
2. To approve the MDP with the Planning Department's conditions and to add conditions.
3. Deny the Major Development Permit application.
4. Table this until all information is assembled.

Motion was made by Frank Fitzpatrick to approve the Major Development Permit request by Mike Johnson of Show Me Anaconda, LLC, with the Planning Board Conditions that are listed in the staff report; seconded by Bob Wren. Motion passes 3-2 for approval of this motion.



Anaconda-Deer Lodge County Planning Department

Public Hearing #2

PUBLIC HEARING on a request by Matt Smith and GW Septic Pumping to establish DEQ septage land application sites within the East Valley Development District (EVDD). The subject properties are located near MT Highway 10A and I-90, and are legally described as:

1. S24, T04 N, R10 W, C.O.S. 27A, ACRES 1.005, TRACT B, IN NW4SW4
2. S24, T04 N, R10 W, C.O.S. 27A, ACRES 1.806, TRACT C, IN NW4SW4
3. S24, T04 N, R10 W, C.O.S. 27A, ACRES 60.41, TRACT A, IN N2SW4

Staff Report

Carl Hamming, Planning Director, reviewed and presented the staff report put together by his office. There are recommendations of approval being asked for by the Planning Department (*please see attached*).

Applicant Report

Glen Wyant, 217 S. Dixon, Anaconda, MT 59711

Matt Smith, 213 Ayers, Anaconda, MT 59711 (landowner)

Mr. Wyant owns a local septic business in the area. Now that ADLC does not accept waste in their Wastewater Treatment Facility from out of the county and has taken 73% of his business, the only way that his business will make it through this year is to land apply the waste. It is a common activity everywhere in the State of Montana and around the world. It is not an out of the ordinary activity and Mr. Smith has provided a quality piece of land for less disruption to the community, it is out of site. If anywhere in this County, this is an ideal location, but unfortunately, he has to go through the MDP process, not sure why, as to him this is customary in agriculture. It is zoned, so he guesses they will go through the process. This is a very simple thing, it is screened, it is de-littered, it is turned into the earth, it should be pretty odorless, it is a DEQ application. He feels that he should be dealing with only the DEQ and not the County so much, but being a zoned area, we do need to go through this, so he feels that it is pretty simple process, pretty non-disruptive to the community.

Matt Smith then went on to state that he is the property owner. S&S Salvage that was out on MT 1 Interstate 90 exit by the gravel pits, this was owned by his father and this is the location. The first two little pieces would be straight across the old frontage road, the train tracks, and on the west side of the train tracks, the little triangular pie-shaped things you see on the map. The reason they are separated are because the railroad has an old spur so they own that little piece that separates the two pieces. Some of the concerns that he sees in here were from Atlantic Richfield. Neither of the pieces they are referring to belong to Atlantic Richfield. They settled out that whole Silver Bow Creek area with the DEQ before



Anaconda-Deer Lodge County Planning Department

the DEQ dug it up. Atlantic Richfield did not dig out that area along Silver Bow Creek, DEQ did that. Atlantic Richfield just reclaimed the 60 acres on the east side of the tracks here in the last two years on the larger piece of property. Two miles away is the first residence where folks live down near Crackerville. The next closest thing would be the rest area, so as far as those sort of concerns, there should be no issues. 90% of the time, the wind blows across the highway and there should be no smell from this anyhow. He dumps this and then he has to turn around within six hours to delitter and incorporate this into the soil. It will essentially be buried and it is only liquid, not solids. There will be some sludge. There is a concern from the DOT in regards to the gravel pits and nothing will turn up in their gravel pits. It is a good 3/8 of a mile from the gravel pits. The way the water tables lay out there, there is no way that it could hit the gravel pit as it is uphill from any of the water tables. If you drive the old highway by the gravel pits and look at the railroad side, those pits are 30 feet deep. If you look at the interstate side they are 20 feet deep. A really weird water system runs through there, but it all runs down towards the intersection of MT 1 and interstate 90, so there should be no concern there. He sees Mr. Everett's concern of out of county waste and that it could be an issue. This has been considered a typical farming application way before any of us were ever alive. There are still countries where they will put raw waste right outside their back door into the crops, the same food that they eat. This is not raw and has been processed through a septic tank. The tanks are designed to start the process. This is just water and full of nitrates, is good for the ground. When he looks at DEQ, they do consider this as farming. When he looks at the MDP rules, the second rule states that typical farming is exempt, so he doesn't know how this could go any further than right here, and that this is up to the Planning Board. When he sees this written in a rule and it actually has a rule, it has a number 24-22-1B, he feels this is a law and it states that this is exempt. He feels that this should go no further than this meeting, but again, will see how this plays out. It is farming and this is not going to affect anyone and most states do this. In Mr. Wyant's case, he invested in this business and he bought it out of another County from another gentleman who ran it in all three counties, the same counties that Chad Lanes, our sanitarian, monitors. Mr. Wyant lives in Opportunity, he has a family with young kids. He wants to be able to go pick it up, go home, and if he doesn't want to dump that water that night, as he wants to be with his family, then he can go the next morning and dump this. This just makes sense to him. He sees no relevance in what County the waste comes from.

Questions from the Board

At this time there was a significant an extensive conversation held between Mr. Wyant, Mr. Smith, and the ADLC Planning Board. At this time, with the social distancing aspects of this meeting due to Covid-19, and with having a venue as large as the ADLC Courtroom, it



Anaconda-Deer Lodge County Planning Department

was very hard to discern most of the questions that were posed and the answers from Mr. Wyant and Mr. Smith,

Proponents to the Project

None

Opponents to the Project

None

Questions from the Board

None

Staff Remarks

None.

Motion is made by Bob Wren to approve the MDP application for Matt Smith and GW Septic Pumping to establish DEQ septage land application sites within the East Valley Development District (EVDD) with Conditions listed and to move this on to the County Commission;; seconded by Frank Fitzpatrick. Motion passes 5-0.

Public Hearing #3

PUBLIC HEARING on a request by Jeff and Mary Rolquin to abandon the parkland dedication the open space/park land parcel of the Georgetown Vista Minor Subdivision. Applicants propose to use lot for residential and accessory use. Property is legally described as "S20, T05 N, R13 W, C.O.S. 442D, ACRES 1.41, GEORGETOWN VISTA MINOR OPEN SPACE/PARK LAND."

Staff Report

Gayla Hess, Planner 2, reviewed and presented the staff report put together by her office. There are recommendations of approval being asked for by the Planning Department (*please see attached*).

Applicant Report

Jeff Rolquin, applicant for the hearing on abandoning parkland dedication of the open space/parkland parcel of Georgetown Vista Minor Subdivision spoke in regards to this, however, at this time, with the social distancing aspects of this meeting due to Covid-19, and with having a venue as large as the ADLC Courtroom, it was very hard to discern statement that Mr. Rolquin was making in regards to this hearing. What could be made out



Anaconda-Deer Lodge County Planning Department

is that he does not want to pay taxes on this parcel and would like to be relieved of this by the County purchasing the property from him.

Questions from the Board

At this time there was a significant an extensive conversation held between Mr. Rolquin and members of the ADLC Planning Board. At this time, with the social distancing aspects of this meeting due to Covid-19, and with having a venue as large as the ADLC Courtroom, it was very hard to discern most of the questions that were posed by the Board and the answers from Mr. Rolquin

At this point, Mr. Rolquin became quite agitated and angry, and he left the meeting.

Proponents to the Project

None

Opponents to the Project

Shawn McNair, unable to pick up or understand her due to social distancing.

Terri McNair, unable to pick up or understand her due to social distancing.

Robert Logue had called in to make an opposition, however, we lost contact with him via conference call.

Gayla Hess then read two letters, one from Mr. and Mrs. Logue, and one from Eric Hoiland, Treasurer, ADLC, both in opposition of this change.

Questions from the Board

Mr. Sweet stated that he doesn't know a lot about real estate, but he does know that when you buy a piece of property or a house, that information that this is parkland is front and center in every discussion that you have. It is not brought up at the closing at the last minute. We are a small town but, we are not stupid. Mr. Sweet was going to recommend to him that instead of the County buying the land from him, that he makes a nice donation to Fish, Wildlife, and Parks for improved access at the lake or to the Anaconda Trails Society to help and maintain our trails, and then maybe we could lift the parkland dedication. He took off, so we will not add that to a motion or add it to anything. Other comments were unable to be picked up or understood due to social distancing.

Staff Remarks

None.



Anaconda-Deer Lodge County Planning Department

Motion was made by Annette Smith to proceed by the guidelines stated by Eric Hoiland, Treasurer, and deny the request to abandon the parkland dedication and the open space/parkland parcel of the Georgetown Vista Minor Subdivision; seconded by Frank Lombardi. Motion passes 5-0.

New Business

None.

Miscellaneous

Matters from the Board

Mr. Fitzpatrick wanted to check on the status of several of the projects that we have discussed in the past. Again, unable to pick up or understand him due to social distancing.

Mr. Sweet asked about plans and the length of time for a permit and the costs associated with this. Mr. Hamming and Ms. Hansen explained the permitting processes that we are currently using, including the time in which they are valid.

Mr. Sweet asked if we had any resources or a map of any or all dedicated parkland, so we can look at a map and state that we have a parcel here, a parcel here, a parcel here, etc., and get an idea of where these areas are within the County. He states that it is a good tool to link certain geographic areas or resources. He also knows that we don't have the GIS type of capability yet, so his suggestion is to hire and intern to catalog all of this information and somehow link it together in a valuable way. He just wanted to throw this out there.

Ms. Nyman stated that she talked to the Planning Director this morning and that we are going to delay the conversation on the Neighborhood Stabilization Plan and the Sign Ordinance topics at this time.

Matters from the Staff

Mr. Hamming stated that obviously, by the comments made by the Board, the packets are not satisfactory and he would like to find a better system. He feels that we need to perhaps change the system in which we are producing packets, and perhaps do parts of these electronically or via thumb drive, etc. He states that we are going to approach this and try to do paper packets as far as the staff reports, past minutes, etc., and then perhaps list other things on the website in order for folks to view these. He states that we hope to get some feedback from the Board in regards to their wishes in regards to this. Conversation was held in regards to this.



Anaconda-Deer Lodge County Planning Department

Ms. Nyman wanted to let everyone know that the Commission has scheduled a second Public Hearing on the proposed hotel on August 4th, 2020.

Mr. Wyant's/Mr. Smith's MDP will also move forward for another public hearing.

Since we denied Mr. Rolquin, nothing will go forward at this time. By denying the request outright, it pretty much ends right here.

Public Comment

None

Next Meeting Date

TBD

Adjournment

Motion was made to adjourn the meeting by Frank Fitzpatrick; seconded by Bob Wren. Motion passes 5-0.

Meeting was adjourned at 8:41 p.m. p.m.

Respectfully submitted,

Carlye Hansen

Carlye Hansen, Planning Department Secretary

Approved on 09/14/2020