

CASCADE COUNTY PLANNING BOARD

June 12, 2019

5:30 PM

Family Living Center, Montana Expo Park
400 3rd St. NW

Board Members: Mark Carlson, Richard Liebert, Elliott Merja, Rob Skawinski, Ken Thornton, Dan Johnstone, Dexter Busby

NOTICE: PURSUANT TO MCA 2-3-212(1), THE OFFICIAL RECORD OF THE MINUTES OF THE MEETING IS IN AUDIO FORM, LOCATED AT CASCADECOUNTYMT.GOV AND THE PLANNING OFFICE. THIS IS A WRITTEN RECORD OF THIS MEETING TO REFLECT ALL THE PROCEEDINGS OF THE BOARD. MCA 7-4-2611 (2) (B). TIMESTAMPS ARE INDICATED IN RED, WITHIN EACH AGENDA ITEM BELOW, AND WILL DIRECT YOU TO THE PRECISE LOCATION SHOULD YOU WISH TO REVIEW THE AUDIO SEGMENT.

THESE MINUTES ARE PARAPHRASED TO REFLECT THE PROCEEDINGS OF THE CASCADE COUNTY PLANNING BOARD AND ARE CONSIDERED A DRAFT UNTIL FORMALLY APPROVED BY THE PLANNING BOARD.

Staff Present: Anna Ehnes, Destiny Gough, Carey Haight, Sandor Hopkins, Ian Payton, Michael Stone, and Charity N. Yonker.

Attendees: Larry Anderson, Nancy Anderson, Sharon Ball, Kathy Buckles, Gloria Burrows, Judson Burrows, John Casselli, Glen Coulter, Leanna Coulter, Carolyn Craven, Margaret Eakman, Ron Ehnes, Paula Evirrs, Mary Beth Ewen, Karen Flater, Jaybe Floyd, Shannon Guilfoyle, Katie Hanning, Denise Harmon, Kasey Herman, Brutez Hollyand, Bill Hunter, Eileen Hyndman, Debra Jenkins, Michael H. Jenkins, Sue Johnson, Tammy Kantorowicz, Marilyn Kind, Steve Kind, Sharon K. Kohles, Stephanie Martino, Kate McMahon, Sue Ellen Olds, Cindi Outten, Debie Pace, Ken Palisen, Rick Pepos, Carol Peretti, Merdys J. Petersen, Curt Pilling, Elva Pilling, Karl Puckett, Laura Ravenscroft, CJ Reeves, Gloria Reeves, Leilani A. Reeves, Marilyn Schneider, Patty Shafer, Lita Sharone, Linda J. Short, William N. Short, Tammy Lynne Smith, Starshine, Lisa Thompson, Marte Thompson, Erin M. Tingey, Erin M. Tropila, Mitch Tropila, Michael Veter, Pennie Vihinen, Ron Vihinen, John Viles, John Walden, LaLonnie Ward, Christine Wart, Ronda Wiggers, Dale Yatsko, and Janelle Yatsko.

1. Call to order: Planning Board President Elliot Merja called the meeting to order at 05:35 PM.

2. Roll call:

Board Members Present: Dexter Busby, Mark Carlson, Dan Johnstone, Richard Liebert, Elliott Merja, Rob Skawinski, and Ken Thornton.

Board Members Absent: none.

3. Approval of Minutes: March 21, 2019.

Richard Liebert (00:00:54) says that he would like to amend the statement on page 26, within 03:29:47 of the meeting. It states that Tom Micuda is the “planning director.” Tom Micuda is actually the deputy planning director.

Ken Thornton made a motion to approve with corrections.

Mark Carlson seconds the motion

All in Favor, motion carries 7-0.

Elliot Merja (00:02:10) says that there has been some people stating that they did not have their exact words put into the meeting minutes. If you would like your exact words in the meeting minutes, please give us what you would like stated in written form. You can read off of that paper of what you want to be stated, when you are speaking. Therefore, you do not deviate from what you would like stated on record.

4. New Business:

A. Zoning Regulation Revisions

1. Staff Report: Ian Payton.

Motions:

The following motions are provided for the board’s consideration:

A. **Alternative 1:** “After considering the Staff Report and public comments, I move to recommend that the Board of County Commissioners **DENY** all of the proposed revisions to the Cascade County Zoning Regulations and zoning map boundaries.”

Or

B. **Alternative 2:** “After considering the Staff Report and public comments, I move to recommend the Board of County Commissioners **ADOPT** all proposed revisions to the Cascade County Zoning Regulations and zoning boundaries finding that all the revisions are in accordance with the Cascade County Growth Policy and MCA § 76-2-203.”

Or

C. **Alternative 3:** “After considering the Staff Report and public comments, I move to recommend the Cascade County Commission **ADOPT IN PART** the proposed revisions to the Cascade County Zoning Regulations and zoning boundaries, and **DENY IN PART** as follows:

- a. **ADOPT** the following revisions to the Cascade County Zoning Regulations and zoning boundaries finding they are in accordance with the Cascade County Growth Policy and MCA § 76-2-203:
- b. **DENY** the remaining proposed revisions.

2. Board Discussion & Action

Richard Liebert (00:40:28) asks in regard to page four (4) of the staff report, if the growth policy discourages development along major transportation corridors. He says that he assumes that the growth policy does not encourage it.

Sandor Hopkins (00:40:44) ask what specific objective that he is preferring to, so he could look it up.

Richard Liebert (00:40:48) replies that he does not want an answer right now. He says that they should move on now and open the public hearing portion of the meeting.

Elliot Merja (00:41:17) says that it has been brought to his attention on page four (4) of the staff report in the last three (3) paragraphs. Sun River and Black Eagle Volunteer Fire Departments were left out, which he suspects it was accidental.

Sandor Hopkins (00:41:39) replies that it was not intentional.

Elliot Merja (00:41:54) says that he is puzzled if the proposed MU-20 District is in the Black Eagle area. He asks if they are saying that the commercial buildings that are already there are would be thrown out.

Sandor Hopkins (00:42:12) replies that the Black Eagle Area that he is referring to would specifically be just Mixed-Use, not the proposed MU-20. There is also a number of nonconforming uses in the Black Eagle area currently. Their goal is to correct and clarify the issues that currently exist in the Black Eagle area as well as open up the district to more land uses for the people who are living there.

Public Hearing opened 6:18 PM

Eileen Hyndman at 983 McIver Rd, Great Falls, MT. 59404 (00:43:42) asks about one of the zoning maps, and if the yellow on the map is RR-5 District that is on one side of the city. She also asks if the green on the map is the Ag District.

Sandor Hopkins (00:43:50) replies that is correct.

Eileen Hyndman (00:43:55) asks if the it is the same on the other side of the city.

Sandor Hopkins (00:44:02) replies “effectively yes.”

Eileen Hyndman (00:44:08) discusses the Montana Environmental Policy Act. She says changing all of the Ag District to a MU District will harm the RR-5 District and its senior population. She says that the changes will violate the rights of all citizens in Cascade County. She goes on to say that the county allowed these nonconforming uses in our Districts. She says that this problem is a county issue, and that the county needs to cut all their ties with Great Falls Planning and Community Development Department.

*Eileen Hyndman discusses her issues with a neighboring business near her house. Then, Judson Fredrick Burrows at 111 Fife Rd, Great Falls, MT 59405 asks about the Big Sky Cheese, LLC. Planning Staff answered his question as well as addressed that the Big Sky Cheese, LLC does not go before this board. Big Sky Cheese, LLC. application goes before the Zoning Board of Adjustment.*¹

Kate McMahon at 151 Wedgewood Ln, Whitefish, MT 59937 (00:52:40) states that she is a Planning consultant that was hired by some citizens of Cascade County. She cites her previous experiences

¹ For more information on the Big Sky Cheese, LLC. application please visit: <http://www.cascadecountymt.gov/departments/public-works/planning/project2>.

working in Planning and in similar establishments. She asks if they are going to take comment on each section or on the report tonight. She asks if the board is taking comments on the staff report.

Elliot Merja (00:53:33) replies that is correct. They are here to receive public comments on the proposed revisions of the zoning regulations.

Kate McMahon (00:53:43) says that she has her own staff report that she has created.² She passes out her staff report and shows some illustrations that she has brought to the meeting. She also gives her analysis of and remarks on the staff report as well as the findings of a fact.

Dale Yatsko at 674 Stockett Rd, Stockett, MT 59480 (01:08:22) thanks the board members and the staff. He asks the board if the existing medical marijuana businesses and grows could be grandfathered in. He also passes out some papers from a staff report from 2017 he says are from the county website. He would like to see if they could allow medical marijuana in Commercial and in the new Mixed-Use Districts.

Elliot Merja (01:11:57) asks what specific papers he is reading from.

Dale Yatsko (01:12:08) shows president Merja where he is reading from.

Elliot Merja (01:12:28) says that he will have the staff look over these papers to make sure that they have the correct paperwork on file. So, they can address the issue more thoroughly.

Richard Liebert (01:12:39) asks if this would be the regular MU-District or the proposed MU-20 and MU-40 District.

Sandor Hopkins (01:12:50) says that he would have to see the papers to know exactly what they are discussing.

Ken Thornton (01:12:56) says that it is out of the old regulations.

Dale Yatsko (01:13:11) says that he and his wife were not sure that if they even were grandfathered into an Agricultural District and if the Agricultural District was changed to a Mixed-Use District of some sort; if they would be allowed into that new existing district. If not, would they have to repeat this process of trying to get grandfathered in again.

Sandor Hopkins (01:13:36) responds to Mr. Liebert's question that it would be in the proposed MU-20 and MU-40 District.

Dale Yatsko (01:13:41) asks if they could be allowed to be grandfathered in as well into the proposed MU-20 and MU-40 District along with the Ag-District. He also passes around a paper about a study that shows how the medical marijuana industry increases the housing market up to sixteen percent (16%).

Carolyn Craven at 101 14th Ave S, Great Falls, MT 59405 (01:15:18) thanks the board. She addresses Mr. Liebert's earlier question about developmental major transportation corridors. She says that in Section 5.10 Economic Activity and Constraints: Manufacturing; Policy 4 of the growth policy reads, "Efforts should be made to discourage commercial strip development along major thoroughfares" (pg. 5-8). She goes on to say that she agrees with Kate McMahon, especially on the prevailing use of Agriculture. She would also like MU-40 District to be eliminated, the Agriculture District to be maintained, and the lot size to be increased in Ag-District.

² The staff report by Kate McMahon can be found in the written submitted public comments online.

Jaybe Floyd at 12 Homestake Ln, Great Falls, MT 59405 says that these issues about the Madison Food Park and the Big Sky Cheese, LLC. applications are complicated.³ She says that people want zoning protection from projects such as the slaughterhouse.

Jaybe Floyd (01:21:14) says that the growth policy does not support the proposed zoning regulation revisions. She says the staff did not analyze the public comments in their reports. She says that the board members are required to consider the public comments. She goes on to say that she agrees with Kate McMahon and Carolyn Craven.

Cindy Outten at 600 17th Ave. S #28, Great Falls, MT 59405 (01:24:44) says that she would like Medical Marijuana to be more accessible in Cascade County.

Shannon Guilfoyle at 13 Homestake Ln, Great Falls, MT 59405 (01:27:52) says that reading these reports is arduous for her, because she is terribly busy. She asks if the board could sit down and review the reports that they paid to generate, before the public meetings.

Stephanie Martino at 3355 Curtis Ln, Manhattan, MT 59741(01:29:15) thanks the board and the staff. She is in favor of the recent proposed Medical Marijuana changes made to the Zoning Regulations to allow for more use.⁴

Ken Palisn at 1200 36th St S. Great Falls, MT 59405 (01:29:51) says that he agrees that Ag-District should remain the same, and MU-40 District should be eliminated. He says that he is worried of commercial development occurring in the future and the Agricultural community becoming unimportant.

Debra Jenkins at 298 Hastings Rd, Sand Coulee, MT 59472 (01:34:01) says that she agrees with Shannon Guilfoyle that it is difficult to read these reports. She would like the staff to read paraphrases/summaries of the proposed revisions. She also agrees with Kate McMahon. She does not want the MU-40 District; and she says that she challenges the staff to try to convince her otherwise.

Michael Stone (01:36:31) elaborates on the reasons they have proposed these specific zoning regulation revisions, such as the MU-20 District and MU-40 District.⁵

Debra Jenkins (01:47:50) states what she has gathered from Mr. Stone, and asks if that is what he means.

Michael Stone (01:48:41) explains to Ms. Jenkin the reasons why they are proposing these changes.

Debra Jenkins (01:48:57) says that she does not want him to explain each change, and that she still does not grasp the reasons behind creating the MU-40 District. She says that she would like it to be paraphrased to her. She goes on to say that she would like Value-Added Agriculture to be split into two (2) categories, animal and plant production.

³ For more information on the Madison Food Park please visit: <http://www.cascadecountymt.gov/departments/public-works/planning/project1>.

⁴ For more information please see *Appendix 12: What's New?*, which can be found online at: <http://www.cascadecountymt.gov/df/departments/public-works/planning/2019ZoningRegulationRevision/Appendix%2012%20-%20What's%20New.pdf>

⁵ For more information please see *Appendix 11: MU-20/MU-40 Rezone FAQ*, which can be found online at: <http://www.cascadecountymt.gov/df/departments/public-works/planning/2019ZoningRegulationRevision/Appendix%2011%20-%20FAQ.pdf>.

Michael Stone (01:49:58) explains to Ms. Jenkin the reasons why they are proposing these changes. He recommends that if the public desires an Ag-District that does not allow anything remotely close to manufacturing, industrial activities, and non-agricultural use, the public should recommend having another Ag-District that does not have those uses. He says that they could look at other counties and how they zone their districts.

Debra Jenkin (01:50:52) says that it sounds like a nice idea to look at other counties on how they do their zoning. However, she says that Cascade county is different from other counties. She ends by thanking the board members and staff.

Elva Pilling at 173 Dune Dr, Great Falls, MT 59404 (01:50:54) says that she is concerned for she has not heard anything about water quality in the zoning regulation proposal.⁶ She does not want anything to happen to her water quality.

Lita Sharone 1200 32nd St. S, Great Falls, MT 59405 (01:54:23) says that the staff should have mentioned their reasons for changing the zoning regulations long ago. She says that she does not like that she has to listen to the staff reading their reports. She questions if the law could be changed, so staff reports do not have to be read aloud. She goes on to say that she would like the Ag-District not to be changed and have the Ag-District be set to not allow any large industrial developments or have several distinct types of uses. She says that the board says that the zoning regulations were changed in 2017. However, she is unaware if there were any public input give during that revision period.

Ronda Wiggers at 474 US Highway 89 Vaughn, MT 5948 (01:56:57) states that she is here on behalf of various organizations and proceeds to list them. She says that many people have not weighed in from the beginning since several people thought that the county staff did well to create revisions that are user friendly as well as inviting towards business and growth. She recognizes that Cascade County is different from other counties. She says that many of the changes that the staff has proposed have made it easier for businesses to grow and will support our economy. She says that many people that she represents thought that the county had it handled, and that they did not need to publicly show their support by submitting public comments and attending the meetings. She says tonight they are here however to say it publicly that they are in favor of many of the proposed zoning regulation revisions. She has thoroughly examined the regulations and have found some minor issues that she would like to bring to the board's and staff's attention. She says in the Ag-District the revisions took out "Commercial Propagation Boarding Grazing" and went with only the definition of "Slaughterhouse," "CAFOS," and "Animal Feeding." She says that at state level that all of our county's feeding operations do not qualify under the federal guidelines for CAFO. Moreover, some businesses do not have to be a licensed animal feeding operation. She says that the name "Commercial Propagation Boarding Grazing" should be put back into use. MU-40 District also no longer includes "Federal Firearms Retailers Dealers and Repairs" and "Outfitters and Guide Facilities." She says that those two (2) items also need to be put back in to allow farmers and ranchers to have side jobs such as repairing firearms and being an outfitter. She goes on to say that they also took out "Casinos" in the mixed use Permitted Use and put it into Special Use Permitted uses. She would like the Casino to be put back in Permitted Uses. She continues to point out that the goal "To secure property from fire and other dangers" can be problematic for rural fire districts, since they are

⁶ Water quality, air quality, and environmental quality is protected, monitored, regulated by the Montana Department of Environmental Quality (DEQ). For more information about DEQ please visit: <http://deq.mt.gov/>.

dependent on tax dollars to operate, but are dependent on growth that can potentially increase fire risks to increase their revenue.

Merdys J. Petersen at 5291 Fox Farm Rd, Great Falls, MT 59404 thanks the board members and asks some questions in regard to the Madison Food Park and the Big Sky Cheese, LLC. applications.⁷ President Merja answers her questions.

Elliot Merja (02:07:52) says in response to the past comments and concerns stated at this meeting about the Madison Food Park and the Big Sky Cheese, LLC. applications, and after reading Appendix 5, Line 6, he understands that some people are still confused with how much you can do under strictly the Ag-District. He informs the public of his background in agriculture. He considers himself to be an industrial agriculturalist as he does some of the processing of the grain, animals, and of the crop that he handles. He understands that big industry scares people and himself at times. Even so, he asks the citizens where they would want industrial agricultural or a beef-cattle slaughterhouse facility with a beef-cattle CAFO and rendering plant to go if not in Cascade County. In brief, he says that he is concerned that this county will wither away as the county has not substantially grown. Nevertheless, if citizens do not want any type of change or growth in our county, then that is what the citizens of Cascade County will receive. He says that he knows that there are people who do want change and growth in our county, but do not speak out as it is not a current and popular topic of discussion. He states that he tries/will continue to try his best to analyze this information, to listen to everyone's unique opinion, and to understand where everyone is coming from as will the rest of the Planning Board members. He does trust that the Planning staff has spent a considerable amount of time to develop revisions that will be workable for our Cascade County community. The board, the staff, and he will take these recommendations given to them and analyze them once more. He says that he implores everyone to read the *Appendix 5: Agricultural Scenario*.⁸ He says that the board and county planning staff does not have a hidden agenda. He thanks the public for allowing him to state his opinion.

Jaybe Floyd (02:12:05) She says that president Merja's job is to listen to the public and that she questions if he is really listening. She wonders if president Merja should recuse from this revision process because he is filtering the information through his point of view. She says that she does not find him to be working as an independent entity. She asks if that is correct that he is intended to act as an independent entity.

Elliot Merja (02:12:55) responds yes that the board members and he are intended to act as an independent entity. He is trying his best to be unbiased. Regardless, he says that he is still trying to understand how growth can occur if growth is not desired.

Jaybe Floyd (02:13:13) responds that they are here for the zoning regulations.

Laura Ravenscroft 312 1st Ave SW, Great Falls, MT 59404 (02:13:24) says that she is concerned about how we need growth as well. She says that she is concerned that we, as a county, will allow bad growth into our county such as the Madison Food Park. She says that, "it is the quality of growth, not the amount" that she is concerned about.

LaLonnice Ward at 70 McKinior Rd. Belt, MT 59412 (02:13:13) says that she has a grain operation on good soil. She is concerned about the MU-40 District and would like the Ag-District to remain the

⁷ Please see footnote 1 and 3.

⁸ For more information on the *Appendix 5: Agricultural Scenario* please visit: <http://www.cascadecountymt.gov/df/departments/public-works/planning/planning-board/2019/Appendix%205%20-%20Agricultural%20Scenario.pdf> .

same. She would like there to be assurances that good soil and prime farmland is protected. She thanks the staff and the board.

The board members converse among themselves.

Kate McMahon (02:18:31) asks if there will be another public hearing and written public commenting session after this meeting, regarding the proposed zoning regulations revisions.

Elliot Merja asks Chief Civil Deputy Attorney Carey Haight for her legal advice.

Carey Haight (02:19:03) responds, “In terms, of how the board proceeds it really is a board decision.”

The board members converse amongst themselves and some state that they are not ready to make a final vote on the proposed zoning regulations revisions tonight.

Elliot Merja (02:19:17) responds that, “The consensus of the board is that there will not be a [final] vote tonight on this [proposal], and these things that have been presented will be [...] reinvestigated.”

Vice-president Mark Carlson agrees.

Elliot Merja (02:19:39) says that there may be a misunderstanding of what he stated previously. Nevertheless, he reasons that people should read the *Appendix 5: Agricultural Scenario*. He also questions after reading the staff material, how having the Ag-District kept the same would be better than having the MU-40 District.

Kate McMahon (02:20:07) responds that keeping the Ag-District the same would be more beneficial since the Value-Added Agricultural Commodity Processing Facilities use that is allowed currently as a Special Use Permit under the Ag-District would be allowed as a permitted use under MU-40.⁹ She says that Value-Added Agricultural Commodity Processing facilities can cause traffic, waste concerns, fire concerns, water concerns, and can be located anywhere in the county under MU-40 without requiring approval from the Zoning Board of Adjustment. She says that we should keep the Ag-District the same and adopt an intent statement such as the one that she has created. She says that the MU-20 District is satisfactory as it is located near some roads, but the MU-40 District is not suitable for large scale intensive uses. She further discusses criteria related to the Special Use Permitting process and how it fits in with current or proposed zoning.

Richard Liebert (02:25:02) says that the Ag-District is not broken but needs to be repaired. He informs the public of his background in agriculture and in the military. He says that the name of the new districts causes a lot of concern. He suggests that they rename the MU-20 District to a name such as “Agriculture Mixed Use District.” He says that they should leave the rest of the Ag-District the same. He understands the nature of industrial agriculture, but they should look more into the size and magnitude of what is allowable. He says that some of the proposed revisions he is for, but he also finds that some sections need to be fleshed out some more. He says that he has not heard in the past any concerns regarding the nature of the Ag district until recently. He would like to know the advantages and the disadvantage of the Ag-District, Mu-20 District, and MU-40 District.¹⁰

⁹ For information on the definitions of “Value-Added Agricultural Commodity Processing Facility” please see *Appendix 4: Agricultural Term Revisions*, which can be found online at: www.cascadecountymt.gov/df/departments/public-works/planning/planning-board/2019/Appendix%204%20-%20Agricultural%20Term%20Revisions.pdf .

¹⁰ For more information please see footnote 8 and *Appendix 3- Agricultural District/MU-20/MU-40 Allowed Uses Comparison Table*, which can be found online at: <http://www.cascadecountymt.gov/df/departments/public-works/planning/planning-board/2019/Appendix%203%20-%20Agricultural%20MU-20%20MU-40%20Comparison%20Table.pdf> .

Eileen Hyndman (02:30:36) asks if there is a noise and odor ordinances in the proposed MU-20 and MU-40 Districts.

Richard Liebert (02:30:51) responds that he can answer that question but would like staff to address if noise and light pollution is considered a nuisance.

Michael Stone (02:31:06) replies yes. He says that Special Use Permits require a person to identify any potential nuisance and how they plan to mitigate the nuisances. There is however no Commission resolution for a noise or light pollution ordinance.

Richard Liebert (02:31:34) says that it is difficult for one to balance being a good neighbor and being a hard worker. Sometimes being a hard worker means that one has to work at odd times of the day and make some noise, which occasionally neighbors may not appreciate.

Eileen Hyndman (02:31:52) reads “10.7 Operations” in the proposed zoning regulations. She asks what the consequences of an operation are if they are not in compliance.

Eileen Hyndman describes her issues with a neighboring operation near her dwelling. She says that there has been no action taken on her troublesome neighbor.

Richard Liebert (02:33:27) responds that he is unable to answer this valid question and concern.

Elliot Merja (02:34:00) asks the board who does the enforcement of SUPs and of the zoning regulations.

Michael Stone (02:34:03) responds that the Zoning Board of Adjustments decides to permit a special use or not. If an applicant/business violates an approved condition on their permit, the applicant/business would then be subjected to the violation process.¹¹

Richard Liebert (02:34:34) asks if Mr. Stone if he means as hours of operation and likewise.

Michael Stone (02:34:39) replies yes, but it needs to be a condition on their SUP.

Richard Liebert (02:34:40) understands.

Eileen Hyndman (02:34:44) asks what if the operation fails to cease operations.

Richard Liebert (02:34:48) responds that it is enforcement issues then.

Michael Stone (02:34:51) responds if it explicitly states on their SUP permit that they are not allowed to paint outside, and they paint outside. Then the operation is in violation of their SUP.

Sandor Hopkins (02:35:04) responds that he is familiar with property that she is having problems with. He says that the county has received numerous complaints from both sides of situation. The county has done countless investigations, field inspections, and so forth... Unfortunately, the county has not found that this operation has directly violated their terms of their SUP.

The board members converse amongst themselves.

Public Hearing closed at 8:10 PM

¹¹ The violation process is listed in the current Cascade County Zoning Regulations under “Section 13: Violations and Penalties,” which can be found online at: http://www.cascadecountymt.gov/df/departments/public-works/planning/2018_FINAL_CascadeCountyZoningRegs.pdf?v=1542840838 .

Board Discussion and Decision

Rob Skawinski (02:35:53) asks if we could take some advisement and have another meeting in the future as he finds that the board does not have enough to make a prudent decision presently.

Mark Carlson (02:36:02) agrees.

Several other board members agree.

Elliot Merja (02:36:05) states that, "The consensus of the board is that we are going to take these [...] information and testimonies under advisement and work on the [...] zoning [regulations] and that they will move on to the next part of the agenda."

Carey Haight (02:36:29) asks if a motion could be made and that there will be clarification on whether the public hearing portion in this revision process is closed or open still.

Dan Johnstone (02:37:33) finds that the board has enough information as is.

Richard Liebert (02:37:38) asks then if they are going to close the public hearing portion.

Dan Johnstone (02:37:48) motions to close the public hearing portion of the proposed zoning regulation revision process as the board has enough information to work with.

Dexter Busby seconds the motion.

Kate McMahon (02:38:08) responds that she would like some more time to respond to some of the information stated at this meeting or to have the public hearing portion remain open.

Elliot Merja (02:38:46) asks if she is prepared tonight.

Kate McMahon (02:38:52) responds that she is prepared to some, but still she would like some more time to review and respond to the record of this meeting as Mr. Stone provided new information not previously stated.

The board members converse amongst themselves.

Michael Stone (02:39:55) responds to Kate McMahon. He says that he does not want what he has stated to be taken out of context. The information that he has stated at this meeting can be found in the staff report. Moreover, he says that he cannot easily explain everything that a planner knows to do their job to every individual citizen. In other words, it is not easy to explain how and why they do their job to someone who does not have that similar experience/expertise. He goes on to say that they also try their hardest to limit, to fill their requirements, and to make the staff report comprehensible.

Kate McMahon (02:41:01) says that she would like to comment on industrial agriculture. She says that the board and the Planning office stated new information. She says that the board and the Planning staff stated "that industrial agriculture is really the same/has the same impact as industrial uses."

Carey Haight (02:42:41) says that at some point the public hearing needs to be closed.

Elliot Merja Agrees.

Ken Thornton (02:42:47) suggest taking ten or twenty days to revise and extend public remarks.

Carey Haight (02:42:51) says that this repeated cycle of receiving points and counterpoints will continue unless the board agrees to close the public hearing at some point. She says that there is also a motion still on the table that needs to be voted upon.

Ken Thornton and Elliot Merja Agrees.

Dexter Busby (02:43:14) amends the motion to close the public portion of the hearing and to leave open the written public comments until June 20,2019.

Dan Johnstone seconds the motion.

Ken Thornton (02:43:27) suggest allowing the public who gave oral to revise and extend their remarks for ten days or twenty days.

Dexter Busby (02:43:41) says that they need to close the public hearing portion. He says that he could amend the motion to allow it until June 20,2019 as well.

Ken Thornton agrees.

Richard Liebert (02:44:02) asks if they would have an executive session in July.

Carey Haight (02:44:09) says that she does not like the use of “executive session,” as it can imply that this board will meet privately. She says that this board will meet publicly as required by the state law.

Elliot Merja (02:42:41) says that the board would have no reason to have an “executive session” or to make a “executive decision.”

Carey Haight (02:44:36) says if they conclude the public hearing portion tonight. Then, the next step is to have a meeting in the future, which can be a work session meeting or a time to figure out final recommendation to give the Commissioners. There would be no public comment coming in, but there will be board discussion at the next meeting regarding the proposed zoning regulation revisions.

Elliot Merja (02:45:14) restates the motion on the floor.

Richard Liebert (02:47:03) asks if the board still needs to make a motion today on whether to move proposed zoning regulation revisions to the Commissioners or not.

Elliot Merja (02:47:07) replies no. They will make that decision at a later date.

Richard Liebert understands.

Elliot Merja (02:47:12) restates the motion on the floor.

Kate McMahon (02:47:31) asks for clarification regarding the motion on public commenting and hearing.

The board explains to Ms. McMahon the motion on the floor.

All in Favor, motion carries 7-0.

5. Old Business:

Richard Liebert (02:48:23) asks if the growth policy reviewed by the Commissioners on June 25, 2019.

Ian Payton (02:48:32) replies no. It is currently being looked at to be on review by the Commissioners July 30,2019, when all three (3) Cascade County Commissioners are available.

6. Board Matters: none.

7. Public Comments Regarding Matters Within the Board's Jurisdiction: none

8. Adjournment: 08:24 PM

Rob Skawinski made a motion to adjourn

Dexter Busby seconds the motion

All in Favor, Motion passes 7-0.