

COMMISSIONERS APPROVAL

BURROWS *SB*

FOSS *5F*

CHILCOTT *G*

IMAN *X*

STOLTZ *re*

Members Present.....Commissioner Jeff Burrows, Commissioner J.R. Iman and
Commissioner Ron Stoltz

Date.....July 19, 2013

- ▶ Minutes: Glenda Wiles
- ▶ Commissioner Suzy Foss travelled to Kalispell for the monthly WMMH/CDC meeting.
- ▶ Commissioner Greg Chilcott was in Fort Worth, Texas for a NACo meeting.
- ▶ The Board met at 9:00 a.m. for the following Subdivision Request for Commission Actions:
 - Request for Commission Action from Christina Jessop for approval of the final plat submission for the Talons Cove Minor Subdivision with variance. (See attached)
Commissioner Iman made a motion to grant final approval based upon Planning Staff's recommendation and the completion of subdivision requirements. Commissioner Stoltz seconded the motion and all voted "aye". (3-0)
 - Request for Commission Action from Frank Gonzalez to grant a 3-year extension to the preliminary plat approval period for the Sunnyside Orchards #4 Block 14, Lot 1A AP (5-lot Minor). **Commissioner Stoltz made a motion to grant this subdivision extension for 3-years to September 17, 2016. Commissioner Iman seconded the motion and all voted "aye". (3-0)**
- ▶ The Board met at 9:30 a.m. to make approval with signatures on the Department of Commerce and Ravalli County Contract for CDBG Economic Development Program for the Targeted Economic Development District and the Sub-Recipient Agreement. Present at this meeting was Deputy County Attorney Howard Recht who discussed his concerns with the contract, however he noted the state utilizes these poorly written contracts for all of their boiler plate contracts. Discussion included any risks for the county under the hold harmless clause. Howard noted without cause the state can cancel the contract within 15 days notice - so if the county moves forward and starts other sub-contracts and a due process issue arises, then the county is held responsible. If something were to occur (go awry), it would be significant. Because RCEDA Director Julie Foster was not present for this meeting, **Commissioner Stoltz made a motion to continue this meeting until July 23rd at 9:00 a.m. Commissioner Iman seconded the motion and all voted "aye". (3-0)**



REQUEST FOR COMMISSION ACTION

OG-13-07-158

BCC Meeting: July 19th, 2013, at 9:00 a.m.
Subject: Subdivision Final Plat Approval

I. Action Requested

This is a request from Christina Jessop, represented by Jean Kammerer of KEC, LLC, to approve the final plat submission for the Talons Cove Minor Subdivision and Variance.

II. Applicable Regulations

Ravalli County Subdivision Regulations (RCSR) Section 10-3(A) gives the Board of County Commissioners (BCC) the authority to approve final plat submissions, if they conform to the conditions of preliminary plat approval, the terms of the MSPA, and the RCSR.

III. Background

- The Talons Cove Minor Subdivision and Variance was conditionally approved by the Ravalli County Board of County Commissioners (BCC) on October 7, 2010.
- The Preliminary Plat Decision was mailed to the subdivider and representative on November 8th, 2010, initiating the 18-month preliminary plat approval period.
- An extension to the preliminary plat approval period was granted on April 3rd, 2012 by the BCC, extending the May 8th, 2012 expiration to May 8th, 2015.
- The Planning Department has reviewed the final plat submission for the Talons Cove Subdivision/Variance, and has determined that the Board of County Commissioners' mitigating conditions of approval and requirements of final plat submission have been met.

IV. Planning Staff Recommendation

The Planning Department has reviewed the final plat submission for the Talons Cove Minor Subdivision and Variance, and recommends that the BCC approve the final plat.

Attachments: Final Plat Materials
Staff: *KW* Kevin Waller
Date: July 16th, 2013
Cc: KEC, LLC, Christina Jessop, Subdivision File, Outgoing Mail File



REQUEST FOR COMMISSION ACTION

OG-13-07-160

BCC Meeting: July 19th, 2013, at 9:00 a.m. (adjacent to another subdivision meeting)
Subject: Preliminary Plat Approval Period Extension Request

I. Action Requested

This is a request from Frank Gonzalez, represented by Jean Kammerer of KEC, LLC, to grant a three-year extension to the preliminary plat approval period for the Sunnyside Orchards #4 Block 14, Lot 1A AP Subdivision (5-Lot Minor).

II. Applicable Regulations

Ravalli County Subdivision Regulations Section 4-13(B) gives the Board of County Commissioners (BCC) the authority to grant an extension to the preliminary plat approval period. Additionally, passage of House Bill 522 gives the BCC authority, if mutually agreed upon with the subdivider, to grant an unlimited number and duration of preliminary plat approval period extensions. (76-3-610 MCA)

III. Background

- The Sunnyside Orchards #4 Block 14, Lot 1A AP Minor Subdivision was conditionally approved by the BCC on February 18th, 2010.
- The Preliminary Plat Decision was mailed to the subdivider on March 17th, 2010, initiating the 18-month preliminary plat approval period.
- A two-year extension to the preliminary plat approval period was previously granted by the BCC on August 16th, 2011, extending the approval period expiration to September 17th, 2013.
- Mr. Gonzalez cites his unexpected health issues as the reason for the extension request.
- If the BCC were to grant the extension request, the preliminary plat approval period would be extended to September 17th, 2016.

IV. Planning Staff Recommendation

The Planning Department has reviewed the request, and recommends that the BCC grant a three-year extension to the preliminary plat approval period for the Sunnyside Orchards #4 Block 14, Lot 1A AP Subdivision.

Attachments:	Extension Request Letter, Reduced Preliminary Plat, Vicinity Map
Staff:	Kevin Waller
Date:	July 16 th , 2013
Cc:	Jean Kammerer, KEC, LLC, Frank Gonzalez (both parties without attachments), Subdivision File, Outgoing Correspondence File

We hereby **Approve** **Deny** a three (3) year extension of time for the
Sunnyside Orchards #4 Block 14, Lot 1A AP 5-lot minor subdivision.

BOARD OF COUNTY COMMISSIONERS

Jeff Burrows, Chairman

Suzy Foss, Member

J.R. Iman, Member

Greg Chilcott, Member

Ron Stoltz, Member

Frank Gonzalez
774 Ambrose Creek Road
Stevensville MT 59870

RECEIVED
JUL 12 2013
15-13-07-581
Favall County Planning Dept.

July 12, 2013

Board of County Commissioners
215 South 4th Street, Suite A
Hamilton MT 59840

SD# 2007-13
\$200.00 paid
7/12/13
-KW

RE: Sunnyside Orchards #4, Block 14, Lot 1A, AP

Request for Additional Extension of Preliminary Plat Approval Period

Dear Board Members:

The deadline to file my final plat is September 17, 2013, and all the requirements of the Preliminary Plat Decision for my subdivision have not yet been completed. I am writing this letter to request an additional extension period.

The initial extension was approved during your August 16, 2011, Board meeting. It is necessary to request additional extension due to unexpected and unforeseen health reasons. Due to the ongoing medical issues I am facing, I will be unable to meet the September 17, 2013, deadline.

Due to the issues outlined above, I am respectfully requesting an additional three year extension period. I do understand and certify that the conditions stated in my July 27, 2011, initial request letter are valid and ongoing for this additional time period. Please see copy enclosed. I am also enclosing a copy of the signed approval for the initial request.

If you have any questions or need additional information, I can be reached at (406) 552-9554 or at the above address.

Your consideration for this additional request is sincerely appreciated. Thank you.

Sincerely,

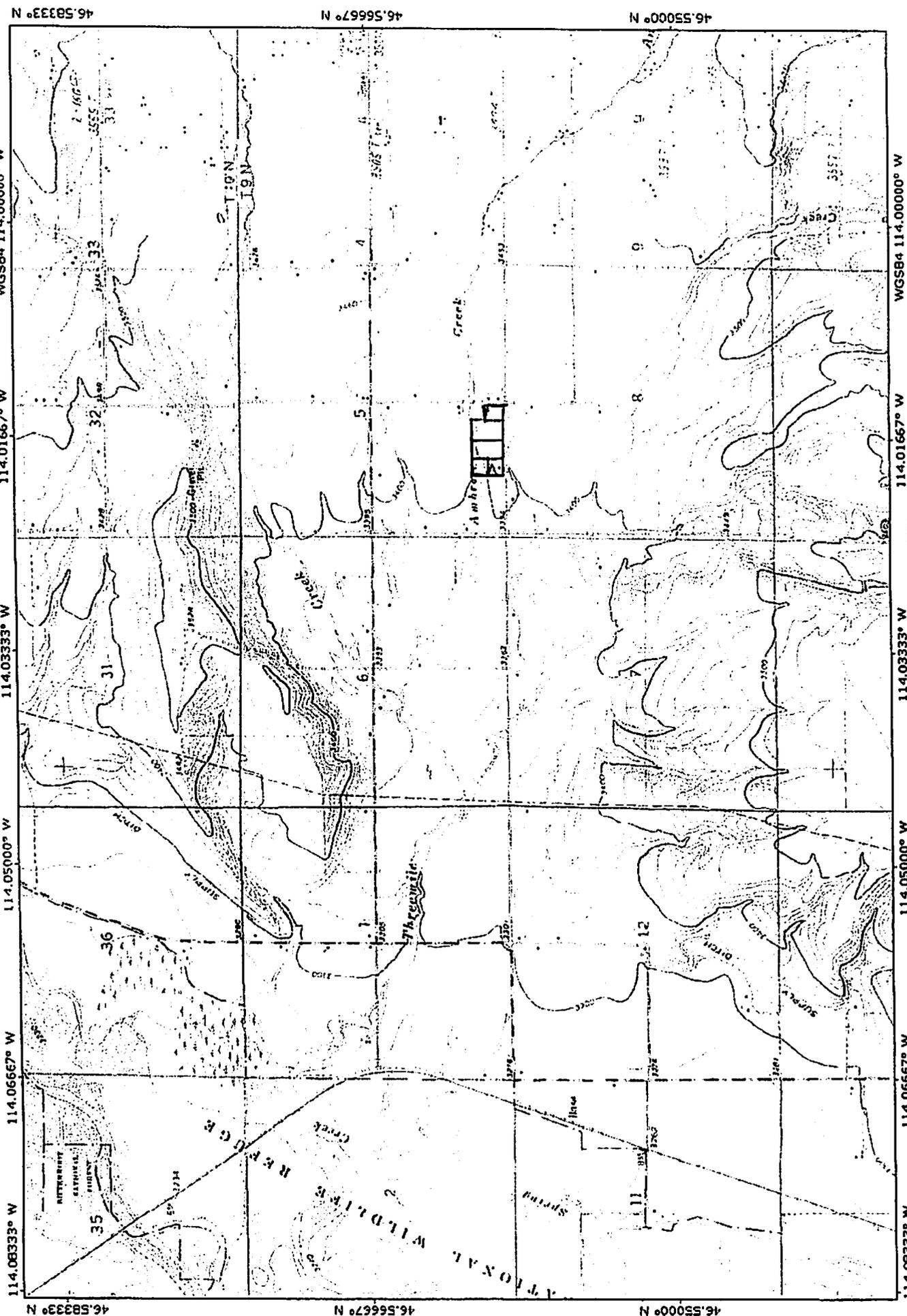


Frank Gonzalez

cc: Kammerer Environment Consulting, LLC, PO Box 134, Stevensville, MT 59870

Enclosures

Sunnyside Orchards No. 4, Block 14, Lot 1A Vicinity Map



114.08333° W 114.06667° W 114.05000° W 114.03333° W 114.01667° W WGS84 114.00000° W

46.58333° N 46.56667° N 46.55000° N 46.53333° N 46.51667° N 46.50000° N



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