

City of Clark Fork

Minutes of the 11/20/2024 City of Clark Fork Public Hearing

Mayor Russell Schenck called the City of Clark Fork November 20, 2024 Public Hearing to order at 6:00 p.m.

Pledge of Allegiance: Mayor Schenck lead the Pledge of Allegiance.

Roll Call of Council Members: Council Members Sharon Banning, Tanya Becker, Jay White, and Vicki Woodward were present, constituting a quorum.

New Business:

1. Public Hearing: Scotchman Peak Estates Subdivision Application - ACTION ITEM.

- a. **Preliminary Matters** – Mayor Schenck asked if any of the council had need of recusal due to a conflict of interest. The mayor explained that it was determined Council Member White’s property was outside the 300 ft radius to the proposed subdivision and that he would not need to be recused. The mayor read through the hearing procedure and stated the meeting would be limited to the new information only.
- b. **Staff Report** – Tessa Vogel Associate Planner, presented her summary of new evidence, which included an updated letter from the Department of Environmental Quality stating they have approved the subdivision for building with conditions that applicant will provide building plans and specs for approval. She further stated the only thing that can be discussed is the DEQ letter.
- c. **Applicant Statement** – After confirming the only subject to be discussed was the letter from DEQ, Mr. Kearns stated that now that DEQ was satisfied, he could move forward. There were no clarifying questions from the council.
- d. **Public Comments in Support** - There were no public comments in support of the subdivision based on the new information.
- e. **Neutral Comments** – Bill Stevenson questioned why he could only speak regarding the DEQ letter. Associate Planner Vogel explained the hearing was a continuation of the previous hearing, only to review the response from DEQ. Mr. Stevenson had no comments regarding the DEQ letter.
- f. **Public Comments in Opposition** – There were no public comments in opposition regarding the new information.
- g. **Rebuttal** - Mr. Kearns stated the letter stands as written and had no further statements.

- h. **Council Questions** – Council Member Woodward asked for clarification that the project will need construction approval prior to moving forward. The mayor confirmed. Council member Banning asked for clarification as to whether the city had any further part in determining plat approval. Associate Planner Vogel explained the city would be kept updated by DEQ on any approvals and that it was out of the city’s jurisdiction. Council member White stated that he is relying on DEQ and Panhandle Health to be the deciding factor after any approvals and that outside of what the council decides would be a planning issue. He further stated he felt the city has satisfied its own requirements. Council members Becker and Banning agreed with White.
- i. **Decision** – Council member White made a motion to approve the preliminary plat of Scotchman Peak Estates and approve the waiver to the required street standards of Section 9 of Ordinance 223 to allow a requested private, 40-foot-wide access easement, finding that the requests are in accord with the general and specific standards of the City of Clark Fork, based upon the evidence of record and testimony received. He further moved to adopt the findings and conditions of approval as amended and stated by staff. The motion to approve is based upon the following reasons, that the proposal meets section 4 of city ordinance #223 and evidence supporting approval and the evidence in findings and conclusions. Motion seconded by council member Banning.

Roll Call Vote of Council Members:

Sharon Banning-Y

Tanya Becker - Y

Jay White –Y

Vicki Woodward - Y

Motion carried.

Council will submit their Written Decision at the next Regular Council Meeting on December 9, 2024.

Mayor Schenck closed the meeting.

MOTION TO ADJOURN - ACTION ITEM.

Council Member Banning moved to adjourn. Council Member Becker seconded the motion. All in favor. Motion carried. The meeting adjourned at 6:41 p.m.

Respectfully Submitted,

Kat King, City Clerk

Russell Schenck, Mayor