

March 8, 2022
Butte-Silver Bow Land Sales Committee
Archives Auditorium

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MEMBERS PRESENT: Dave Aguirre, Chairman, Rusty Christensen, Brandon Warner, Eileen Joyce, Zane Gleason, Cindy Winston, Dori Skrukud, Dan Fisher, Lori Patrick, Dylan Pipinich, Mark Neary

NON-MEMBERS PRESENT: Ken Young

MEMBERS ABSENT: Zach Osborne, Cinda Seys, Kate McCourt, Excused

MINUTES

Call to Order: The meeting was called to order at ~ 1:35 P.M.

Roll Call of Members: Having a majority of the Land Sales Committee (LSC) Members in attendance, a quorum was established.

Approval of the Minutes: Call for vote to approve Minutes for the January 11, 2022, and January 20, 2022, LSC meetings. Dan Fisher motioned to approve the minutes and Dylan Pipinich seconded the motion. The vote passed to approve the minutes for both LSC meetings.

Public Comment on any item on the Agenda: Mr. Ken young commented that he heard she (Miss O'Dell) was purchasing property at 320 W. Gold and that he want to purchase the property. Mr. Young said he thought he was purchasing the property when he purchased his adjacent property. He said his current lot was too small to build a house and that he would build a house and garage on the combined properties if he were able to purchase the 320 W. Gold property.

Dave Aguirre thanked Mr. Young for his comments and explained that just like they talked about when Mr. Young stopped in the Land Records office, that the LSC makes recommendations to the council; so, should the LSC vote on the proposal in front of them, it would likely go before the Council of Commissioners (COC) at the next regular meeting which would be Wednesday of next week. Mr. Young asked if he would have the opportunity to speak at the Council meeting and Dave told him that he would and that he has his own opportunity to request to purchase the property by submitting a letter to the COC.

Committee Discussion / Committee Action:

- **Communication No. 2022-02, Melissa O'Dell, 21 Holly Lane, Butte, MT 59701**
Requesting Council of Commissioners authorization to purchase a small lot that Butte-Silver Bow (B-SB) currently owns. The land owned by BSB is located at 322 W Gold St, B-SB parcel number 441800, where I would like to build a small garage with living quarters and have enough room to have some off-street parking for my property at 330 W Gold St.

01/11/2022 LSC Meeting – There was much discussion on Communication # 2022-02 Melissa O'Dell. The following possible concerns were raised: 1) B-SB's ability to approve the request to purchase the property via 2/3 council vote because the property is not adjacent to Melissa O'Dell's existing property; 2) B-SB's ability to condition the potential sale (i.e. complying with zoning standards, preventive measures to curb future community enrichment type concerns, begin/end construction deadlines, etc.) and limitations to what could be required. A motion to recommend the sale with certain conditions was made, seconded and later withdrawn. Eric Hassler made an alternative motion, Dylan Pipinich seconded, and LSC Committee passed via vote, to hold the request in abeyance in the LSC until a county attorney representative is present to answer questions. Holding a special meeting of the LSC was recommended if possible.

01-20-2022 LSC Special Meeting - The discussion from the 1/11/2022 LSC Meeting regarding Communication No. 2022-02 Melissa O'Dell continued. Eileen Joyce informed the LSC that Butte-Silver Bow (B-SB) can approve non-adjacent landowner purchases via 2/3 majority council vote. Eileen also informed the LSC that B-SB can condition property sales and that consistency is important.

The LSC held Communication No. 2022-02 in abeyance and determined that an internal meeting was necessary to determine what, if any, general requirements that the LSC would like to recommend in land sale purchases moving forward. The LSC also determined that once the general conditions were discussed internally that Melissa O'Dell would be contacted to discuss the potential conditions and to inform her that the LSC would be discussing her request at the next meeting.

03/08/2022 LSC – Discussion continued regarding Miss O'Dell's request. Dylan Pipinich opened the discussion explaining that progress has been made on the LSC workgroup to revise the statutes, forms and website to better handle requests to purchase property and that Miss O'Dell's request should not continue to be hung-up waiting for everything to be revised. Dori Skrukrud commented that she visited with Miss O'Dell and that she better explained her plan's of building a garage with living quarters, with a carport, and a greenway for the property which should help alleviate past discussions regarding curbing community enrichment issues.

Dan Fisher asked if Mr. Young's request would take priority over Miss O'Dell's request his property is adjacent. Dylan Pipinich stated that Mr. Young does not have a request in to purchase the property and Miss O'Dell's request has been in front of

the LSC for months. Mr. Pipinich added that Mr. Young's property does not have a habitable structure so the Adjacent Landowner policy would not apply. Dave Aguirre added that it was also slightly larger than 3,000 square feet, which also disqualifies use of the adjacent land owner policy. Dylan Pipinich motioned to recommend that the Council of Commissioners approve the sale of the property at 322 West Gold to Miss O'Dell. The motion was seconded by Lori Patrick. The motion passed unanimously.

Other Business:

- **Lori Baker-Patrick, Treasurer** – went over the 2022 Tax Deed Process and timeline. She passed out handout of both the timeline and the delinquent properties. Dan Fisher encouraged folks to look at the list as it's been greatly reduced from previous years due to the work of Lori and her staff.
- **Dylan Pipinich, Planning Director** – went over the map that the Planning Department has created showing BSB owned properties. He explained the lands identified on the map by color as the three categories: available; survey needed; and dedicated. A discussion occurred regarding the progress and ideas moving forward. Eileen Joyce stated that the first thing that really needs to be done is address the two different municipal codes that have different requirements for selling BSB property. Dave Aguirre stated that he started pulling together information that he needed to get up to speed and that he would be setting up a meeting soon. More discussion occurred. The LSC mostly seemed very pleased with the progress being made.

Public Comment on any item not on the Agenda:

- Dori Skrukud, Community Development asked Dave Aguirre about the form for purchasing property that was also on the agenda that wasn't mentioned. Dave explained that Dori had provided him information from what the Community Development Program asked for regarding development packages and Dave made it a fillable form and added information regarding whether the adjacent landowner policy would apply. There was additional discussion regarding progress made and paths forward. It was reiterated that the municipal code for selling properties needs to be the next step.

Adjournment: The motion to adjourn was made by Dan Fisher and Seconded by Dylan Pipinich. The meeting adjourned at ~ 2:30 p.m.