

**STILLWATER COUNTY PLANNING BOARD
MINUTES OF MEETING**

Wednesday, January 5, 2011 at 7p.m.
Stillwater County Annex Planning Department
809 E. 4th Avenue N., Suite C

BOARD MEMBERS PRESENT: Cynthia Colbert (Vice-President), Adelbert Eder, Linda Halstead-Acharya, Allen McMillen, Alvin Stadel, Clinton “Clint” Teegardin, Vincent Vandersnick, and Bob Van Oosten.

BOARD MEMBERS NOT PRESENT: Larry Gee (President)

STAFF: Forrest Mandeville and Marissa Plumb

I. CALL TO ORDER: Vice-President Colbert called the meeting to order at 7 p.m..

There was no public present to give any comments.

II. MINUTES APPROVAL. Al made the motion to approve the November 3, 2010 meeting minutes with a minor correction to section III part B in regards to the last sentence stating weeks not months that the letters will be mailed from the County. Bob seconded; with all in favor, motion carried.

III. NEW BUSINESS:

A) Election of 2011 Officers. The Board made nominations for the current office holders to remain. Adelbert made a motion to keep Larry Gee as President of the Board. Bob seconded; with all in favor, motion carried. Bob made a motion to keep Cynthia Colbert as Vice-President of the Board. Al seconded; with all in favor, motion carried.

B) Establishment of 2011 Meeting Dates and Resolution. Forrest read through Resolution 2011-1 and then asked the Board for comments. Cynthia noted the only discussion would be the meeting time. She recommended 6 p.m. instead of 7 p.m.. The Board felt the current meeting time of 7 p.m. seems to be working fine so they opted not to change the meeting time. Bob motioned to accept Resolution 2011-1 as written. Linda seconded; with all in favor, motion carried.

C) Family Transfers. Forrest stated again that the Commissioners wanted him to inform this Board of the family transfer exemptions that come through the Planning Office.

1) Ostrum. This Certificate of Survey (COS) involved a transfer from husband to wife. Mr. Ostrum transferred approximately 22 acres to Mrs. Ostrum stating they are doing estate planning. Under Montana law this is legal. One month after this COS was filed Mrs. Ostrum sold the recently transferred 22 acres.

2) Kendrick. Mr. Kendrick divided his land into three tracts for his three sons. The new tracts were between approximately 9 to 11 acres and were required to go through the Montana Department of Environmental Quality (DEQ) review. This COS has not been filed as of this meeting.

3) McDonnell. Mr. McDonnell is transferring approximately 2 acres to his daughter. This has already been through DEQ and approved. This COS has not been filed as of this meeting.

D) Court-Ordered Survey-Matt. Florence Matt passed away a few months ago and in her will she asked to have approximately 20 of her acres divided into four tracts. She wanted to give one tract to Paul Matt which is her son and the executor of her estate, two tracts to her two granddaughters, and the fourth tract to her son's partner. To access these four tracts you have to cross a bridge owned by Joe Heigis. The County's Subdivision Regulations state that the creation of four new tracts would be a minor subdivision and subject to review but if a court order is given the County cannot review this subdivision. This creation of four tracts would normally require a dry hydrant be built for fire protection and the roads and bridge brought up County standards but none of this can be requested on a court ordered survey. All court ordered surveys are exempt from review by the County. The court order is currently pending with Judge Blair Jones. Vincent asked if these lots would pass a perc test and Forrest said that they probably will. The Board stated that just because a will requests land to be divided shouldn't mean that it's exempt from the County's review. The Board feels that this could set precedence for other people to avoid review on major divisions of land just because it is asked to be divided in a will. Forrest informed the Board that this will most likely be ordered by the Judge and filed.

IV. UNFINISHED BUSINESS:

A) Planning for Value. Nothing was discussed at this time.

V. OTHER:

A) 5-Lot Subdivision. Forrest informed the Board that they should expect to see a 5-lot subdivision off of Highway 78 right outside of Columbus in the coming months. The Winkler family is planning on dividing some of their land.

B) Cell Towers. Clint inquired about the cell towers that were approved by the Board a few months ago. Forrest wasn't sure if they had started building the towers yet but should be started in the spring if they are not started already. He also noted that there have been other inquiries regarding additional towers in Columbus and throughout the County by other companies. No applications have formally come in at this time.

VI. ADJOURN: Linda made the motion that the meeting be adjourned. Clint seconded; with all in favor motion carried. The meeting was adjourned at 7:49 p.m..

The next meeting will be on Wednesday, February 2, 2011 at 7:00 p.m. at the Stillwater County Annex, in the Planning Department office, located at 809 E. 4th Avenue N., Suite C.

Marissa Plumb
Administrative Assistant