

**STILLWATER COUNTY PLANNING BOARD  
MINUTES OF MEETING**

Wednesday, November 2, 2011 at 7p.m.  
Stillwater County Annex Planning Department  
809 E. 4th Avenue N., Suite C

**BOARD MEMBERS PRESENT:** Larry Gee (President), Cynthia Colbert (Vice-President), Adelbert Eder, Linda Halstead-Acharya, Allen McMillen, Alvin Stadel, Clinton "Clint" Teegardin, Vincent Vandernick, and Bob Van Oosten.

**STAFF:** Forrest Mandeville and Marissa Plumb

**OTHERS:** John Moorhouse with Montana Land Reliance

**I. CALL TO ORDER:** President Gee called the meeting to order at 7 p.m.. There were no public comments received at this time.

**II. MINUTES APPROVAL.** Bob made the motion to approve the October 5, 2011 meeting minutes as written. Vincent seconded; with all in favor motion carried.

**III. NEW BUSINESS:**

**A. Scott Conservation Easement.** Forrest provided the Board with a draft letter to Lois Delger-DeMars with the Montana Land Reliance stating that this Board has looked at the Scott conservation easement. Forrest also noted that there was an error in the conservation easement paperwork in regards to referencing the Stillwater County Growth Policy. Mr. Moorhead said that he will make sure the correction is made.

Mr. Moorhouse explained that this land was originally owned by Ann Heyneman then sold to Rick Young and is now owned by Don Scott who would like to put a conservation easement on 368-acre property south of Absarokee and Fishtail.

Cynthia asked if putting a conservation easement on a parcel negates a subdivision previously filed on the land. Forrest said that the conservation easement is treated as a deed restriction over what was previously filed on the land.

Cynthia motioned to have the draft letter sent to Montana Land Reliance as written. Bob seconded; with all in favor, motion carried.

**B. Heyneman Conservation Easement.** Forrest informed the Board that this conservation easement was acceptable as submitted. Mr. Moorhead stated that this was an amendment to the previous filing of the Heyneman conservation easement. With the use of better mapping equipment it was noticed that areas of land had been missed in the previous easement and this easement is to correct those errors. Linda noted that this easement allows for residences that are not currently there. Mr. Moorhead said yes this easement does provide for that. Al motioned to have the draft letter sent to Montana Land Reliance as written. Linda seconded; with all in favor, motion carried.

**C. Potential Subdivision Regulation Changes.** Forrest stated that he had spoken with the City-County Planning Board and they agree with this Board to have a joint public hearing on December 7, 2011 at 7 p.m at the Planning office, to coincide with this Board's regularly scheduled meeting. Both Boards will open their public hearings and then once the hearing is closed the County Planning Board will continue their meeting and make a recommendation.

Forrest began to review the changes to the Subdivision Regulations since this Board last saw them. Please refer to the attached document for details.

Located on page 3 is the addition of sidewalks to the regulations. Forrest reiterated to the Board that they have the authority to request sidewalks be incorporated into any purposed subdivision in the county even without re-stating it in the Subdivision Regulations. Added to the sidewalk section were sub-sections a-g regarding the specifications for building a sidewalk. Cynthia felt that changing the wording to say that sidewalks "may" instead of "shall" be required for subdivisions with 3-acre lots or less. Clint questioned why sidewalks in rural areas are needed now. Forrest said the Commissioners believe that should be discussed as a way to provide for the public's health and safety especially for school children walking to and from bus stops. Al and Clint questioned the locations of the sidewalks and wondered if County roads would be required to also have sidewalks leading to bus stops. Forrest said the only requirements would be to have sidewalks to the end of the purposed subdivisions and not on County roads. Larry mentioned that as far as he is aware, school buses are not allowed to travel on private roads which most all subdivisions are. Forrest again stated that requiring sidewalks in a subdivision will be looked at on a case by case basis like it has always has been done but with having it in writing in the County's Subdivision Regulations it would give the developers a heads-up on what the County may require them to build. Cynthia asked if the County could require a turn-around located at the end of a subdivision road or at the area where the dry hydrant is located since it's required by the County to have a large enough area for the fire trucks to turn around. Al and Vincent also liked the idea of having a large pull-out area or turn-around at the entrance of subdivisions.

Alvin questioned who would be maintaining the sidewalks and who would be plowing the snow in the winter so the sidewalks are useable all year. Forrest stated that it would be the subdivisions homeowner's association that would be required to maintain roads and sidewalks. Alvin said that sidewalks are a good idea but only on a case by case basis and what is being proposed in the Subdivision Regulations needs work and definitely needs to be looked at closer.

Clint doesn't feel that sidewalks are a priority in a rural Montana subdivision but fire protection and safety in those areas are. Cynthia said that she can see why sidewalks may be an issue in areas like Absarokee but the majority of the County doesn't need sidewalks at this point. Alvin doesn't want to see miles of unused sidewalks throughout the County where they aren't being maintained. Clint questioned who would be the person(s) to recommend that a subdivision needs a sidewalk if it wasn't stated in the Subdivision Regulations. Forrest said that it would this Board, the County Planning staff, or possibly an adjacent landowner to the proposed subdivision that would recommend the sidewalks. Cynthia asked if there could be an easement required on the plat for sidewalks to be built at some point. Forrest said that a County standard for roads is currently 60 feet wide which already allows room for sidewalks if needed.

The overall consensus of the Board is that putting the possibility of requiring sidewalks in a subdivision is ok but the sub-sections that go into detail and specifications on the sidewalks either needs to be removed or changed. Forrest will make changes and this will be looked at again at the joint public hearing December 7.

The final item discussed was the possibility of implementing an alternative fire fee structures. Please refer to the attached document for details. Forrest went through what the current fire fees are and then the two alternatives. Alternative 1 is to not charge a fire fee for 1-lot to 3-lot subdivisions, for 4-lot to 10-lot subdivisions the charge would be \$700, and each additional lot after 10 would be at \$50 per lot. Alternative 2 is to charge a \$150 per lot fire fee for up to 10-lots and then charge \$50 per lot over 10-lots. Clint asked where the fire fees go now. Forrest replied that all fire fees collected go into a County account and that is used to help pay for the County's Fire Warden and other fire related expenses for the County. The Board's consensus was that Alternative 2 seem the best but would like to see the \$150 fee for lots 1-10 drop to \$100. They felt once you reach a 6-lot subdivision the developers will be charged much more than what the County is currently. Forrest said he will make those adjustments and they can be discussed further at the next meeting.

Forrest prepared two alternatives to the current dry hydrant requirements and proceeded to ask the Board about what they thought about the current requirements. Vincent wondered what it cost to install a standard dry hydrant. Forrest said that the starting cost is about \$10,000 and increase from there and could cost as much as \$25,000 or more. With Alternative 1, Vincent thought a \$5,000 one-time fee doesn't even cover the cost if the County had to install a dry hydrant themselves. Cynthia felt that is there is no mechanism in place to utilize the fire fees if they are increased then there shouldn't be a change in the fee structure until that happens. The overall consensus of the Board was to leave the dry hydrant requirements as they currently are.

#### **IV. UNFINISHED BUSINESS:**

##### **A. Planning for Value**

Nothing was discussed at this time.

#### **OTHER:**

**A. Maggie Julson Proposed Subdivision.** Forrest informed the Board that he had a pre-application meeting for a 1-lot subdivision near Pine Hill Road and Countryman Creek Road. It will be reviewed administratively and will not be brought in front of this Board unless issues arise.

**B. Columbus Growth Policy.** Forrest stated that the Town and the County are working on an agreement for the County Planning staff to start updating the Columbus Area Growth Policy.

**V. ADJOURN:** Al made the motion that the meeting be adjourned. Vincent seconded; with all in favor motion carried. The meeting was adjourned at 8:08 p.m..

The next meeting will be on Wednesday, December 7, 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