

# CITY/COUNTY PLANNING BOARD

## Meeting Minutes

January 6, 2009

**Meeting Called to Order by President:** Cal Oraw

**Roll Call: Board Members Present:** Cal Oraw, Lee Pourroy, Melissa Boyer, Bob Evans, Lonnie Price, David Seitz, Tony Barone, LeeRoy Reidle, Jim Duffey, and Ray Trumpower. **Board Members Absent:** Beth Redlin, Bill Linder, and Matt Schriver. **Staff Present:** City/County Planner Marcy Hamburg and VISTA Becky Hayes, Becky took the minutes.

**Quorum verified:** Needed: Board (7) Sidney (5) Fairview (5): Marcy stated the quorum for the full Board and both Jurisdictional Ares were met.

**Approval of minutes preceding meeting:** Cal entertained a motion for approval of the September 9 and October 7 meeting minutes. *David made the motion to approve the minutes as written, Bob seconded the motion; motion carried.*

### **Petitions and communications from audience: Introductions and comments:**

- Becky Hayes, VISTA located at the Richland County Health Department, provided an overview of the Action Groups that were created as a result of last year's County-wide Conference. She reported there will be five groups (Housing, Life-Long Learning, Physical Health, Youth Opportunities, and Public Safety) that would be making presentations at the Community Conference on January 23<sup>rd</sup> at St. Matthew's Parish Center to start discussion off during the concurrent sessions. Several board members asked questions on how the high school drop-out rate was determined and what the groups will be doing, as well as an overview of the Social Health Index.

**Public hearings:** It was noted no hearing was scheduled.

### **Regular business:**

- **New Board Members: Matt Schriver and Jim Duffey:** Cal welcomed new Fairview Board members to the board, he noted Matt was not able to make tonight's meeting.
- **Fee Schedule Amendment consideration: COS's and Amended plat fees:** Marcy explained a board recommendation to the governing bodies will be required regarding any amendment to the fee schedule. Marcy explained currently there is a review fee for subdivisions, but not a fee for certificate of surveys and amended plats. The fees are for minor (1-5 lots) and major (6 or more lots) subdivisions, but certificate of survey and amended plats are exempt from review according to State Law and local subdivision regulations; they are however reviewed by the Planner Office as requested by the Richland County Clerk & Recorder Office. Ray explained a plat was submitted to the Planner's Office located within the town limits of Fairview. He stated Marcy spent significant amount of time reviewing the amended plat, and the Fairview Town Council

has asked the Board to consider providing a recommendation to the council to amend the current Fee Schedule to allow a fee be charged for Certificate of Surveys and Amended plats. This would help the town recoup some of planner review costs and discourage people from making unnecessary plat requests. Ray stated all three boards (the full board and each Jurisdictional Area) would need to act separately on the recommendation, as each fee schedule may be different. Marcy commented it would be easier for the Planner's office to have just one fee schedule for all three jurisdictional areas. She stated the adoption of the Amended Fee Schedule would be up each governing body, for example if one of them chose not to adopt the Amendment then the current fee schedule would remain in effect. Marcy drew the board's attention to the handout included in the board packets referring to the State Laws that reference allowing fees. She explained the fees would allow Sidney and Fairview the opportunity to recoup some costs for her review time. Marcy also suggested changes to two of subdivision fees, to increase the 1 lot fee to \$150 and the 2-5 lot fee to \$200. The Major Subdivision fees of \$300 and \$500 would remain the same. Marcy noted these fees do not cover the entire cost of her review time, but would give the governing bodies an opportunity to recoup some of the expense. Marcy said she estimated her time spent on the major subdivision in Lambert to be about 30 hours, and the Amended Plat in Fairview was about 9 hours. Lonnie asked Marcy if she had a job description, Marcy said she does not. Marcy stated according to State Law Minor and Major Subdivisions are required to be reviewed, but at the request of the Clerk & Recorder Office she has been reviewing all of the plats that are to be recorded at the Clerk & Recorder Office. Lonnie asked where the money would go. Marcy stated the funds would go to the perspective governing body (County Treasurer, the City of Sidney or Town of Fairview) in which the plat is located. Last year, Marcy stated she reviewed 15 plats from June 2007 - December 2008 located within city limits of Sidney and no fee was collected for them. Tony expressed concerns about regulating and tracking the funds collected and who would be holding the funds. Marcy responded stating the funds would go directly to the Treasurer or appropriate city/town office. Bob noted the fee is not a burden relative to overall cost of the plat. Marcy stated after visiting with various Planners across the State (at the MAP conference in Sept) most Planning Offices charge a plat review fee of \$200; such as Beaverhead County. She commented larger counties and cities have higher subdivision review fees. Cal asked Marcy to restate her recommendation regarding the Amendment to the Fee Schedule. Marcy recommended the Amendment to reflect a \$150 plat fee for Certificate of Surveys and Amended Plats, \$150 fee for 1 lot Minor Subdivision and \$200 for 2-5 lot Minor Subdivisions. Cal asked if state law requires a public hearing, Marcy explained it would be the responsibility of the governing bodies to hold the hearing, and yes, one would be required as the Amendment would need to be adopted by each governing bodies. Melissa asked if the fees were enough for the Major subdivisions. Lee responded the fees may not be enough, but it could be seen if the fees were more the governing body/planning board may appear to be against development, but in the long-run return from development itself in terms of taxes may be a fair exchange, the board does not want to be viewed as hindering development. David noted the fees should be lower due to the lower cost of the lots here in Richland County. *Lee made the motion to recommend to all three governing bodies the amendment to the fee schedule as recommended by the City/County Planner; Bob seconded motion; motion carried.*

- ***Planning Board public meeting/hearing expectations handout:*** Marcy stated per the board's direction during the September meeting, she drew their attention to the handouts included in the board's packet referring to board's public hearing agenda and bylaws (the Article referenced public hearings), and the public meeting expectations sheet. The Expectations handout would be provided to the public at all board meetings/hearings, as it explains what the board's expectations are. Marcy stated the only question she had when drafting this document in order to meet Planning Board needs was the last bullet dealing with the length of evening meetings, Marcy suggested removing it. Question was asked if the use of this document requires board action, Marcy confirmed that it would need to be approved by a vote. *Tony made the motion to adopt the Board's Expectations document as presented with the last bullet (the entire bullet) be removed regarding the time-limit on evening meetings; Ray seconded the motion; motion carried.*
- ***Conference Planning Board Mission Statement:*** Marcy explained the Conference Committee has been meeting for the past 5 months planning for the 2<sup>nd</sup> County-wide Conference, which will be held on January 23<sup>rd</sup>. She stated during the planning of the conference the committee came up with a conference mission statement to use in order to better explain to the public the joint nature of and reasons for the Conference. Marcy stated there is a Planning Board statement included in the document along with the Conference and Health Department's statements. Marcy explained the Planning Board statement and Conference statement would be just that statements for the Conference, not the Planning Board's vision statements as those are found in the Growth Policy. Marcy recommended to the Board to adopt the statements (the Planning Board and the overall Conference mission statements). *Tony made the motion to adopt both statements for the Conference (the Planning Board's statement and the Conference mission statement); David seconded the motion; motion carried.*
- ***Board Terms ending 2008, reappointment consideration: County: Bob Evans and David Seitz: Sidney: Cal Oraw and Lee Pourroy: Fairview: Matt Schriver and Jim Duffey:*** Cal stated as of last night the City Council reappointed Lee Pourroy and himself, and the Fairview Town Council appointed Jim Duffy and Matt Schriever. Marcy reported the County reappointed Bob Evans and David Seitz; she was asked to check the Commissioner minutes to ensure their reappointments were recorded officially in minutes. It was noted these are two-year appointments; the terms end at the year-end of 2010.

#### **Reports from Planning Board Committees:**

- ***Executive Committee:*** Cal provided a summarization of the Board's 2008 Year-End Report to be submitted to each governing body. The report covered the 2008 board meetings, County-wide Conference held on March 14, the board activities and involvement relating to the Lambert Post Office location, research procedures on updating land use policies which include a zoning land use plan for Sidney, the subdivision application reviews, growth policy implementation and updates (to be updated by 2011), and the work plan and budget submitted to governing bodies in June 2008.

- ***Sidney Jurisdictional Area - Amended Fee Schedule - Zoning Land Use map update:*** Lee deferred to Marcy for the Sidney report. Marcy stated she had visited with the Mayor, the Mayor recommended postponing future work on the Zoning Land Use until after this year's legislative session (to wait and see how oil tax funds will be distributed). She stated the City has asked her to take some grant writing training. Marcy stated will be able to take a project to the training and have a completed application at the end of the training course. Cal asked who would choose the project she would work on, she said the City as the City has agreed to pay for most of her expenses during the 1-week course in Bozeman. Question was asked if this training was just for planners, Marcy stated no.
- ***Fairview Jurisdictional Area - Amended Fee Schedule:*** Ray said the only item from Fairview area is the fee schedule amendment request.

**According to the City/County Planning Board Bylaws-Article V-Officers of Section 2:**

- ***Office Elections: President, Vice-President, Sidney and Fairview Chairs:*** Cal cited the board bylaws and a portion of the Montana Code Annotated requires the Board to elect officers at the first meeting of the year: President and Vice-President. He stated according to the Board's Bylaws elections of the Jurisdictional Area Chairs for Sidney and Fairview will need to be done during the election process. *Lonnie nominated Ray for the chair position of the Fairview Jurisdictional Area, and then withdrew her motion. Lonnie made the motion to re-elect the current officers and chairs to serve their same positions; motion was seconded by Tony; motion carried.* 2009 Officers are as follows: Cal Oraw-President, Ray Trumpower-Vice-President/Fairview Jurisdictional Area Chair, and Lee Pourroy-Sidney Jurisdictional Area Chair. It was noted the positions are one-year terms.

**Written communications:** Marcy directed the board's attention to the email article Ray provided that referred "County weighing subdivision regulations", she encouraged all board members to take the opportunity to read it. Marcy presented information on a potential magazine available for commissioners; this magazine is actually for planning board members that provides information on planning issues/topics/discussion including board ethics. Melissa noted it appeared to be a guide for Commissioners. Marcy noted boards in larger cities are called "Planning Commissions." Melissa suggested getting one copy then to have Marcy read it, and then she could bring any specific articles she felt required board attention. Bob asked if it was in the budget, Marcy said no but it could be included in next year's budget. Cal suggested asking the Commissioners to purchase this year's subscription and then include it in the Planning Board's budget for next year; Marcy was asked to check into this.

**Staff reports:**

- ***Sanitation:*** It was noted Kelly Logan was not able to attend.
- ***Public Works:*** It was noted Russ Huotari or Terry Meldahl was not able to attend.
- ***City/County Planner: Conference update:*** Marcy reported the registration numbers for this year's Conference is currently down a little from last year's. The Joint Conference Committee met 10 times; Growth Policy issues are included on the agenda, facilitators are set, regular news articles have been written and submitted to local papers (alternating between Health Department and Planner Office), and a Signature Ad will be placed in

both papers. The evaluations, agenda, and registration forms are completed and available online. Marcy encouraged all planning board members to attend. LeRoy Strasheim will provide the catering services which includes the noon lunch, snacks throughout the day (at \$12/person), and cleaning services of the facility. Approximately 400 invitations were mailed at the end of December, currently approximately 30 people have registered, but a lot of the registrations are expected to come in within the next two weeks. Marcy said at last year's conference the VISTA's took the notes during each session, as there are not very many VISTA's in Sidney this year and the note taking was a requirement from the Planning Board, it was suggested by the Committee/Planning Board member to have Planning Board members as note takers. Four members have volunteered, but with there being 8 sessions Marcy asked for a few more volunteers then each person would only need to take notes in one session. She presented a note-taking format she created. Marcy reported conference registration begins at 7:30am. Melissa reported Dan Clark will be the lunch speaker, he will talk about the importance of planning for the future and community development; he is the Director of the Montana Horizons' leadership program. **Board Training Session/Eastern MT MAP Mini Conference:** Marcy stated a board training session is being planned for March 26<sup>th</sup> and/or 27<sup>th</sup>. Marcy said she would like to bring in a presenter that would focus Planning Board training; CTAP personnel from Helena can provide this training and no cost. Marcy stated the Culbertson Planning Board has also expressed an interest in this training. Marcy asked when the board would like their training; she was unsure how long the CTAP session (3-6 hours) would be. This session would also include a legislative update on the land use and planning law changes. Marcy stated she currently serves on the MAP Legislative committee and will continue to provide the board with updates and keep them apprised of any laws that would affect the county. She reported a new bill is being submitted which may affect the county as it would allow the County to form an advisory board in the unincorporated communities (Lambert and Savage). Marcy reported MAP is in the process of planning a mini Planner's Conference here in eastern Montana. The fee has not be established as of yet, the group was only willing to travel to Baker or Miles City. As the MAP group wanted a central location Miles City was chosen. This training session would cover the Planning 101 courses. Marcy stated she will keep the Board updated on the progress of each training session.

**Adjourn: Tony made the motion to adjourn the meeting, meeting adjourned.**

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President, Cal Oraw

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Date