

**MADISON COUNTY PLANNING BOARD
MEETING MINUTES
Madison County Administration Building Conference Room
May 26, 2020**

1. **Call to Order:** 6:05 p.m. by President Darlene Tussing

2. **Roll Call:**

Members present: Pat Bradley, Del Bieroth, David Laufenberg, Jacqueline Lev, Tamara Millican-Wood, Rita Owens, Lincoln Roberts, Laurie Schmidt and Darlene Tussing.

Members not present: April Gerth

Staff present: Alex Hogle and Michelle Schriock

3. **Minutes:** February 24, 2020

MOTION: To approve minutes from the February 24, 2020. Moved by Schmidt, seconded by Bieroth. Roll call 10-0. Motion carried.

MOTION: To approve minutes from the April 27, 2020 with corrections. Moved by Schmidt seconded by Bieroth

4. **President's Comments:** Discussed Phase II of COVID-19 possibly in effect June 1st with up to 50 people in a locale while still noting the social distancing. For the upcoming public hearing and meeting, the Planning Board will be recognizing all who are in attendance physically, web or phone and their abilities to view the documents or make comments.

5. **Opportunity for Public Comment for Items Not on the Agenda:** None

6. **Statement of Conflict of Interest/Ex Parte Communications:** None

7. **Monthly Report:**

Hogle proposed to the board on possible changes to the monthly report. Queried the Board as to what they would find useful, valuable, and important. Changes such as tallying of PCSR's received, temporary addresses assigned, final addressing, the detailed breakdown of different activities in the office and daily routines.

Bradley: The Monthly Reports are substantial and gives the Planning Board knowledge and an opportunity for inquiries. Suggested a copy of the monthly report be sent to Twin Bridges Town Council on a regular basis each month.

Schmidt: The original intent of the monthly reports were to aid the Planning Board with a summary showing the variety of office activities performed in the Planning Department.

Millican-Wood: The reports as well, gives an opportunity to show the community the activity in the department.

Schmidt: Suggested instead of reading the report line by line, is to give the Planning Board opportunity to ask questions about topics on the report during the meeting.

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Tussing & Bradley: The only need for discussion of the Monthly Report is, if something significant that may need the Planning Board's input, topics raised by the public, or updates.

Schmidt: Are the Monthly Reports provided to the commissioners as well? Hogle- yes and typically the same format.

The Planning Board discussed the format of the Monthly Reports. A format change noting issues of concerns for the Planning Board's knowledge and input would be helpful. Discussion concluded the format of the Monthly Reports would include any concerns for the Planning Board, if needed.

8. Conservation Easements:

Hogle noted three Conservation Easements have been received by the Montana Land Reliance for discussion and input. Before discussing the easements, he asked if the Board wanted any changes to the Staff Report. The Planning Board stated that they're familiar with the current formatting and details, no changes needed.

➤ Kalsta Ranch (Erik and Jamie Kalsta)

Kalsta Ranch – 1,036 acre easement adjacent to the Big Hole River. Reviewing the first Staff Report pointed out Exhibit E, Discussed prohibited uses, subdivision, dumping, surface alterations and a list of other provisions consistent with the Madison County Growth Policy. They're requesting matching funds on this project via the Agricultural Land Easement Program (ALE).

- **Laufenberg:** He has had no direct interaction with ALE based out of the Sheridan office but it would be helpful to know if this is a commonly used program and is funding specific to county/state? He offered to have a representative from the Sheridan office come to a meeting or have a summary provided to the Board. He will research and follow-up can be provided in next month's meeting if applicable.
- **Laufenberg:** Does the Planning Board see the Conservation Easement in its entirety? Is it something we, as a Board can request? Restrictions? Hogle: We do receive a copy of the full submittal. If copies of entire submittal and draft easement documents are printed, it would be 500 pages or more. The details and draft easement documents are available to review in the Planning Department.
- **Laufenberg:** Can we get it digitally? Hogle - they are downloadable large files, at least 30 mg.

➤ Sauerbier Ranch I (Dan and Janet Doornbos)

This is a substantially large easement of 7,697 acres located in the Sweetwater area of Madison and Beaverhead counties. Subjects of particular interests are to maintain conservation values, protect open space, protect grazing agriculture, and is uniquely intended to protect habitat for sage grouse. The Doornbos will fund the easement, and will be contributing to the Land Protection Fund for permanent stewardship of the property.

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- **Bradley:** Finds the no build area and sage grouse protect area as a positive direction.
- **Millican-Wood:** Dan and Janet Doornbos are working with Sauerbier Ranches and are paying for the whole project while also asking for donations to help with funding.
- **Bradley and Laufenberg:** Commended them for sage grouse habitat protection.

➤ Sauerbier Ranch II (Dan and Janet Doornbos)

Included in this 308 acre easement is an existing barn, two grain silos, and a small shed; feedlot and associated agricultural structures, a gaging station and an existing public accessible fishing access with no changes made and managed by Fish, Wildlife and Parks. The agricultural structures are allowed within an established non-residential building envelope that encompasses the existing barn. The purposes are to protect agricultural resources retaining farmland and important prime irrigated soils. It will not adversely affect access and/or use of those features upon the easement to comprehensive planning in the area. Proposed as an Agricultural Land Easement through the NRCS.

- **Bradley:** Would like to again commend the Doornbos and Saubier Ranches, as this will be a positive for conservation of wildlife habitat and scenic areas.
- **Bieroth:** Is familiar with the properties and has no issues with the easements.
- **Tussing:** Is a letter of recommendation needed or formal voting? Hogle- No, just comments and/or recommendations from the Board sent to the Commissioners.
- **Laufenberg:** What is used to view conservation easements? Hogle – We use ARC GIS and a shape file. It can be downloaded from the Montana State Library.
- **Schmidt:** Does the county maintain files and or databases on Conservation Easements? Hogle – We don't actually maintain a database, we maintain files on them.
- **Tussing:** Are the cumulative maps are available to view. Hogle – they are.

9. Board Functioning:

Planned Unit Development (PUD) >Concept of Process in relation to Subdivision and Overall Development Plan (ODP)

Hogle reviewed the material provided to the Board via email. Defining the differences between a PUD and an ODP utilizing the Madison County Subdivision Regulations IV-B-7. The PUD provision dates back to 2000, with no change in the language compared to current regulations. The PUD supports the planned development of an individual tract for either a single use such as residential, commercial or a combination of land uses and subdivisions.

- **Tussing:** Has understood that a PUD is in one area as being preserved and functions as having the development more contained.

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- **Schmidt:** Noted that Madison County needs more detail and dedication in Subdivision Regulations for a PUD.
- **Millican-Wood:** Adding a Floodplain to a PUD? Hogle – right now they're so close to being a subdivision, they eventually get embodied into the subdivision. It would require us to change our Madison County Subdivision Regulations.
- **Bradley:** Regarding Purpose A 'and' being underlined and thinks it is to emphasize the preservation and enhancement of open space and other natural or cultural features. Hogle- The regulations are established as they are with various provisions contained within and believes we don't have the ability to deny the request to the specific provision of the regulations when they exist.

Further discussion entailed the reviewing and possible text amendments to the Subdivision Regulations in the near future. Also discussed scenarios of how an ODP may become a component of a PUD. Examples were given of some that were approved and some not approved. Anticipation that these type of details with subsequent subdivisions may be requested and as a Planning Board, we are prepared.

At the time of a Public Hearing, a comment may shed light on development we've not been aware of that have come before the public hearing (verbal or letter) via the public, adjoining landowners or agencies that shed light on one aspect or another in the development that perhaps we were not aware of. In this case, it would not necessarily be in the staff report. Note, that this may have bearings on the draft Findings of Fact in the staff report.

Skill Building #1

"Agriculture and Agricultural water User Facilities" - An example of hypothetical staff discussion

- **Tussing:** The Findings of Fact have to be amended because the easement was being used for agricultural purposes. The motion had already been made; a subsequent motion would be made.
- **Schmidt/Bradley:** Would need more input for the motion of Findings of Fact. Amend Findings of Fact, then subsequent motion.

Skill Building #2 Exercise

"Testimony from public that it has happened"

- **Laufenberg:** Anticipates the Board could table until ALL adjacent landowners are notified, giving the developer the facts that are applicable.

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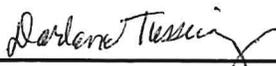
10. Old Business:

- **Schmidt:** Inquiring when the SOP's will go to the Commissioners for approval. Hogle – met with them today. The Commissioners would like Justin Eckwall to review for the language of Quorum and Voting (Physically Present). The Commissioners need a definition of what limitations are physically present and will notify the Board when a decision has been made.
- **Schmidt:** Is there going to be a Public Hearing for next month's meeting? Hogle – yes, following recent directive regarding COVID-19 from the Governor is 50 people limit and continuing social distancing. There still are concerns for the public to have access to the materials. He did note that libraries, other buildings would be opening and the availability of going to the Planning website, the materials can be found via the link on the Agenda. June Planning Board meeting will include Lee's Pool Public Hearing. It will be spaced according and conducted virtually.
- **Schmidt:** Will packets be delivered in a timely manner? Hogle – yes, along with any new information submitted comments from public, or agency comments.

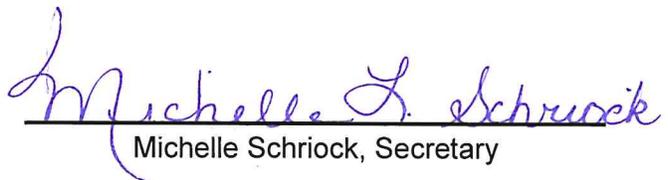
11. New Business:

- ✓ Planning Board Member Reports: None
- ✓ Other:
 - **Schmidt:** When will the new Planner I start? Hogle: Expected start date is June 8, 2020.
 - **Hogle:** 2 ODP's have gone to the Commissioners for extensions. Lost Lakes ODP has been extended for two years and Spanish Peaks ODP was extended 1 year from August 6 to August 2021.

12. Adjournment: Meeting adjourned at 8:37 p.m.



Darlene Tussing, President



Michelle Schriock, Secretary