

PROCEEDINGS OF THE BOARD OF COMMISSIONERS
BROADWATER COUNTY, STATE OF MONTANA
LOCATION: 416 Broadway, Townsend, MT 59644
DATE: August 16, 2023

Commissioner Debi Randolph called the meeting to order at 10:00 AM. Commissioners Darrel Folkvord and Lindsey Richtmyer were also present.

Public comment: None. Announced future meetings.

10:02 AM Clerk of District Court Val Hornsveld read into the record a letter of recommendation to the Appointment of County Administrative Officer (CAO) Position. Commissioner Folkvord moved to appoint Bill Jarocki as the new CAO. Tim Ravndal with Broadwater County News requested the rate. Commissioner Randolph commented that the rate is \$0.01 less than the Commissioner's rate and will be up to 30 hours with no benefits. Motion carried.

10:04 AM MSU County Extension Agent Allison Kosto presented. Commissioner Richtmyer moved to approve FY2024 Extension Services Agreement between Montana State University Extension and Broadwater County, Montana. Commissioner Folkvord seconded. Ravndal requested the agreement cost to the county. \$37,000.00 is the County's contribution toward \$79,432.00. Motion carried. Accepting applications for Big Sky Big Leadership Program Sept – May focused on leadership development and local issues/resources.

10:09 AM Commissioner Folkvord presented Airport Grant. Commissioner Richtmyer moved to approve FY2023 AIP Grant Agreement with Transmittal #3-30-0078- 016-2023 between the FAA and Broadwater County. Commissioner Folkvord seconded and carried. Broadwater County Attorney Jania Hatfield commented.

10:14 AM Commissioner Folkvord moved to approve the August 2, 2023, minutes. Commissioner Richtmyer seconded and carried.

10:15 AM Commissioner Richtmyer moved to approve the August 9, 2023, minutes. Commissioner Folkvord seconded and carried.

Commissioner Richtmyer moved to approve claims in the amount of \$1,016.92. Commissioner Folkvord seconded and carried.

Commissioner Folkvord moved to approve claims in the amount of \$31,685.05. Commissioner Richtmyer seconded and carried.

Commissioner Richtmyer moved to approve claims in the amount of \$1,505.71. Commissioner Folkvord seconded and carried.

Commissioner Folkvord moved to approve claims in the amount of \$8,000.00. Commissioner

Richtmyer seconded and carried.

Commissioner Richtmyer moved to approve claims in the amount of \$37,552.03. Commissioner Folkvord seconded and carried.

10:20 AM Deputy County Attorney Jania Hatfield commented regarding addressing the Commission in a meeting and stating name, spelling, and speaking into the microphone. Tim Ravndal Broadwater County News commented.

10:22 AM Community Development and Planning Director Nichole Brown presented Vandenacre-Hanser and Bitner's Boundary Relocation (Township 7N, Range 1E, Section 11). Commissioner Richtmyer and Folkvord commented. Deputy County Attorney commented. Bernadette Swenson of Schaubert Surveying commented regarding COS 182293. Commissioner Richtmyer asked if Bucks' property would have access even if the boundary changes. Swenson commented answering yes. County Attorney Cory Swanson commented and clarified § 76-3-201 (1)(h), MCA. Schaubert Surveying is referring to section § 76-3-207, MCA, divisions of land exempt for subdivision review. Swanson commented that a Subdivision next to a piece of land is not a subdivision. Justin Meissner, owner of land in Grandview Manor Phase II Subdivision, commented. Melissa Meissner commented. Justin Meissner read into the record the covenants of Grandview Manor Phase II subdivision. Deborah Buck and Sargent Senior Deputy Jamie Buck, homeowners near Grandview Subdivision commented regarding potential landlocking of their property and referenced § 70-19-4, MCA. Kit Pepperd, homeowner in Grandview subdivision commented. Robert Johanson, who lives on a corner lot in Grandview Dr. commented. Theresa Lawrence and Jeanine Stone commented. Julie Crook, owner of lot 11 abutting the Bittner property commented. Larry Westfall commented. Deborah Simpson of Grandview Loop commented. Lauren McLaughlin of Grandview Loop commented, John Rivers representing Adrian Frazier commented. Tim Ravndal resident on Whitehorse Road commented. Marla Landt, Dwight Thompson, Justin Meissner, Mandy Vandenacre-Hanser, Donna Vandenacre, John Landt commented. Eric Turk, homeowner of Grandview Loop, commented. Commissioner Richtmyer commented. Mandy Vandenacre-Hanser and Kit Pepperd commented. Commissioner Randolph commented. Commissioner Folkvord commented. Director Brown stated that there is access to the amended Tract B and that there are already two addresses at that southwest Grandview Loop. Therefore, the County cannot assign a third address. Deborah Buck commented regarding coming to a peaceful resolution and establishing a road, believes she would still be landlocked. County Attorney Cory Swanson commented. Commissioner Folkvord moved to table the Vandenacre Boundary Relocation. Commissioner Richtmyer seconded. Tim Ravndal Broadwater County News commented. Motion carried.

12:00 PM Deputy County Attorney Jania Hatfield and Director Brown presented Rolling Glen Ranch Estates Minor Subdivision (Township 2N, Range 1E, Section 6) request Final Preliminary Plat Approval. Need to determine if the minor subdivision is a phase of the master plan. Rolling Glenn Ranch developer Steve Cavanaugh commented. County Attorney Cory Swanson commented regarding the request in the packet; requesting the 3-lot minor specifically.

12:27 PM Cavanaugh asked what it would look like to amend the conditions on the PUD. Deputy County Attorney Hatfield commented that this is part of her upcoming presentation. Commissioner Richtmyer asked that if this is not a phase, then it's a separate minor. Deputy County Attorney Hatfield stated that is correct; if you don't consider it to be part of the master plan, then it becomes a separate minor subdivision outside of the master plan with different

conditions.

12:28 PM Commissioner Folkvord asked if we look at this as a minor, then the PUD is void. Deputy County Attorney Hatfield commented that ultimately her recommendation would be to consider this as a phase of the master plan and the reason is because even if they were to move forward with this as a minor and per Mr. Cavanaugh, he is still going to moving forward with this master plan although it would be a question on whether or not it would void it. County Attorney Swanson commented.

12:40 PM Cavanaugh stated we either have to remove the property from the master plan or keep it a part of the PUD but allow him to make those changes but have individual wells and septic on those lots because he cannot get past that point; the only other option would be to file the 75-lot major on it. County Attorney Swanson commented.

12:43 PM Deputy County Attorney Hatfield presented a slideshow going through the options for Rolling Glen Ranch Estates Minor Subdivision. Cavanaugh stated he could not move forward with the master plan if they imposed the conditions of the master plan. Deputy County Attorney Hatfield stated her recommendation would be that they consider this to be a phase to the master plan and that they require it follow all the conditions of the master plan; the reason for that recommendation is that those conditions that have been put in place for a reason. County Attorney Swanson commented that the county has to consider having all these exempt wells as a cumulative problem.

1:05 PM County Attorney Swanson asked Cavanaugh besides the housing market issues in 2008 and 2009, what else happened that changed that. Cavanaugh stated the biggest thing that happened was the way DNRC viewed the different watersheds.

1:08 PM Commissioner Richtmyer asked if the process for voiding the PUD is its own separate process and agenda item? Deputy County Attorney Hatfield stated that is correct it would need to be a different agenda item. Cavanaugh agrees to grant a 30-day extension.

1:30 PM Director Brown and Deputy County Attorney Jania Hatfield presented Redistricting County Commission Boundaries. Director Brown discussed the reason for redistricting due to population data. GIS verifies the three commissioner districts are equally weighted. Hatfield discussed that this approval is the first step and that should this redistricting map motion be carried out today, the map will still need to go through the district court process to be officially adopted. Population data previously is as follows: Commissioner District 1 – population of 2,315, Commissioner District 2-population of 1,971 and Commissioner District 3- population of 2,488. New proposed district numbers: Commissioner District 1- population of 2,253, Commissioner District 2- population of 2,199, and Commissioner District 3-population of 2,322. Director Brown stated that the next time Redistricting Commission Boundaries will need to be conducted will be after the 2030 census. Commissioner Richtmyer moved to approve the Resolution to Redistrict the County Commission Boundary. Commissioner Folkvord seconded and carried.

Communications Received: CAO recommendation, FY2024 Extension Services Agreement between Montana State University Extension and Broadwater County, MT, Vandenacre-Hanser and Bitner's Boundary Relocation (Township 7North, Range 1 East, Section 11) Request for Exemption Review Affidavit and Boundary Relocation COS, Map of Grandview Manor Subdivision, State of Montana Department of Environmental Quality Certificate of Subdivision Approval regarding Grandview Manor Phase II, Rolling Glen Ranch Estates Minor Subdivision

(Township 2N, Range 1E, Section 6) request Final Preliminary Plat Approval, Letter to Broadwater County Commissioner from Steve and Susie Cavanaugh regarding list of emails sent to County Attorney and Planner re: Rolling Glenn Ranch PUD and the RGR Estates 3-Lot Minor Subdivision request, Redistricting County Commission Boundaries.

Present at the meeting were: Nancy Marks, Larry Westfall, Debbie Westfall, Sean McLaughlin, Lauren McLaughlin, Deborah Simpson, Kit Pepperd, Debra Pepperd, Jonathan Rivers, Melissa Meissner, Denise Russell, Dwight Thompson, Theresa Lawrence, Julie Crook, Jonathan Gabrio, Lonny Gabrio, Mike Delger, Joyce Thomas, Gary Thomas, Mandy Vandenacre-Hanser, John Landt, Elizabeth Barton, David Flaskey, Eric Turk, Bernadette Swenson, Justin Meissner, Jamie Buck, Deborah Buck, LeWayen Kroeger, Marjorie Kroeger, Steve Nelson, Sharon Nelson, Barbara Mutter, George Rider, Jeanine Stone, Bob Johanson, and Lori Johanson.

The meeting adjourned at 1:42 PM. The next regular Commissioner Meeting will be held August 23, 2023, at 10:00 AM.


DEBRA RANDOLPH
Commissioner Chairwoman


Attest:
ANGIE PAULSEN
Clerk and Recorder