

## **BROADWATER COUNTY PLANNING BOARD MEETING**

### **March 2nd, 2022**

Chairman, Ed Shindoll, called the meeting to order at 6:00 PM. Once seated, all arose for the Pledge of Allegiance.

Chairman, Ed Shindoll, requested Acting County Attorney, Jania Hatfield, to the podium to open the meeting. Jania announced that this was the time scheduled for the Public Hearing for the Horse Creek Hills Subdivision. However, information was received from the developer's representative that he was not aware of this hearing, as notice had not been received. As a result, the developer and representative requested additional time, in order to be prepared and present at the meeting. The importance of the developer's presence for public hearings or meetings was noted. It was also noted that the developer has granted two separate extensions previously requested by the county. Jania suggested not to move forward with the hearing on this date, and to set a future date. The Planning Board agreed to reschedule the public hearing for April 5<sup>th</sup>, 2022 at 6:00 PM.

#### **Public Comment:**

- Toby Dundas approached the podium to comment that he came home early, from out of state, to attend this meeting. It was also noted that this is the third time this is being delayed. Acting County Attorney, Jania Hatfield, responded, stating that it is important for all able parties to be present for a public hearing. Although the public's frustration is understood, it is important for the developer to be present to respond to public comment. There will be time for public comment at the next meeting. The public was also reminded to approach the podium and state their name for the record, when making a public comment, rather than speaking from the audience. Toby Dundas then commented on the certified letter that was sent out. Jania Hatfield responded, stating that certified letters were sent out to the land owners in the area. A certified letter was not sent to the developer. The meetings are scheduled and made available for the public.
- Bill Waldren approached the podium to make a comment regarding the legal notice. Bill submitted a document to the Planning Board. He also shared a copy of a letter he planned to submit to the editor of the local newspaper, The Broadwater Reporter.
- Denise Thompson approached the podium, to state she had not received a certified letter and asked who would have received those letters. Nichole Brown responded, stating that according to MCA, all adjacent land owners are required to receive a certified letter, which means anyone sharing a fencepost. This list included Brad and Sally Dundas, South Ranch, State of Montana, and Bureau of Reclamation. Denise then asked why the developer wasn't sent a certified letter. Nichole Brown responded by stating the developer does not receive a certified letter.

- Phillip Fingar approached the podium to comment on the responsibility and lack of professionalism from the developer's representative. Phillip also commented on the lack of public information.
- Vicki Sullivan approached the podium to comment on the lack of information to the county.
- Cody McDaniel approached the podium to express frustration.
- Vicki Sullivan approached the podium to comment on the January 19<sup>th</sup>, 2022 Commissioner meeting.
- Sarah Seiler approached the podium to comment on the extension of this meeting and legal notification of meetings. Acting County Attorney, Jania Hatfield, responded by stating that the developer was not present for the January 19<sup>th</sup> Commissioner's meeting. During that meeting, the Commission decided to send the Horse Creek Hills Subdivision back to the Planning Board to review specific documents. That was the last meeting, prior to this meeting. Once a date of availability was determined with the Planning Board members, notices were then issued. It was in this part of the process that the developer was not notified.
- Bill Waldren approached the podium to comment on legal notice in the paper. Jania Hatfield responded by confirming that there was legal notice provided in the paper and it is in fact important to the county, however, the developer's presence is crucial.
- Denise Thompson approached the podium to comment.
- Phillip Fingar approached the podium to comment on the developer's knowledge and awareness of these meetings.
- Bill Waldren approached the podium to thank the Planning Board and to comment on the responsibility of the developer's representative.
- Vicki Sullivan approached the podium to comment on the knowledge of the developer's representative.
- Chuck Plymale approached the podium to comment on the scheduling of this meeting and the timeframe of the process.
- Toby Dundas approached the podium to comment.
- Denise Thompson approached the podium to comment on the stressload of the Planning Board.
- Vicki Sullivan approached the podium to comment on the deficiencies.
- Denise Thompson approached the podium to ask about the legal coverage of the Planning Board. Jania Hatfield responded to this question and agreed to add that to her list of questions for the meeting in April. Planning Board member, Jeanine Stone, also responded.
- Phillip Fingar approached the podium to suggest the Planning Board revoke the sufficiency date of this applicant because of insufficient data.
- Toby Dundas approached the podium and stated he agreed with Phillip Fingar's comment.

- Tina Read approached the podium to suggest the application be reviewed again, starting over from scratch.
- Vicki Sullivan approached the podium to comment on deficiencies. Jania Hatfield reminded the Planning Board and public that the comments regarding the proposed subdivision need to be saved for the next meeting.
- Drew Hettinger approached the podium to ask about the laws. Jania Hatfield responded, stating that this proposed subdivision is under the old Subdivision Regulations because of the date it was submitted. The Montana Code Annotated and the date of application were requested for the next meeting, as well as the deadline of the application. "Did the developer fail to meet any of these deadlines?"
- Chairman, Ed Shindoll closed public comment.

Jeanine Stone made a motion to hold the Horse Creek Hills Public Hearing on April 5<sup>th</sup>, 2022, at 6:00 PM. Deanna Kolodka seconded the motion. With no further discussion, all voted in favor and the motion carried.

- Phillip Fingar approached the podium to confirm topics that will be discussed during the April 5<sup>th</sup> meeting, which are specific to four topics. Jania Hatfield stated that there is an Amended Staff Report posted on the Broadwater County Website, which provides a list of items to be discussed. Chairman, Ed Shindoll, noted there will be six items discussed.

Jeanine Stone made a motion to adjourn the meeting at 6:55 PM. Deanna Kolodka seconded the motion. With no further discussion, all voted in favor and the motion carried.

Approved

Ed Shindoll

Date

8/24/22