



BROADWATER COUNTY COMMISSIONERS
515 Broadway, Townsend
Meetings are held at the Flynn Building on 416 Broadway St.

Current and previously recorded meetings, official agenda, and minutes may be viewed on the website at <https://www.broadwatercountymt.com>.

Per Montana Code Annotated (MCA) 2-3-202, the agenda must include an item allowing public comment on any public matter that is not on the agenda of the meeting and that is within the jurisdiction of the agency conducting the meeting. Public comments will be taken either in writing before the meeting or in person at the beginning of the meeting. Mail and items for discussion and/or signature may occur as time allows during the meeting. Issues and times are subject to change. Working meetings will be posted on the agenda and will not be recorded.

OFFICIAL agendas are posted in the Courthouse (1st-floor bulletin board), on our website at www.broadwatercountymt.com, in the window of the Flynn Building at least 48 hours in advance of the meeting, and in the local MT43 Newspaper

REVISION as of April 10, 2024

Monday, April 15, 2024

11:00 AM Working Meeting with Bill Jarocki, County Administrative Officer, regarding projects and deadlines. This will be in the Commission Office

Tuesday, April 16, 2024

1:00 PM Working Meeting with Kay Minor, Deputy County Attorney with Rodeo Association Board. This will be in the Flynn Building

3:00 PM Working Meeting with Kay Minor, Deputy County Attorney, regarding projects and deadlines. This will be in the Commission Office

Wednesday, April 17, 2024

10:00 AM Public Comment on any subject not on the agenda, that the Commission has jurisdiction over.

10:05 AM Public Hearing, Broadwater County Growth Policy Addendum

10:15 AM Discussion/Decision, Townsend School District #1 and Broadwater County Community Library Interlocal Agreement

10:20 AM Discussion/Decision, Ruby Taylor, Task Order 24-07-1-01-117-0; To The Master Contract Number HHS-PHSD-00000524 Effective July 1, 2019 to June 30, 2026 Between The State of Montana, Department of Public Health and Human Services and Broadwater County

10:25 AM Discussion/Decision, Abe Fandrich, Cancellation of Delinquent Property Taxes for Mobile Home Property

10:30 AM Discussion/Decision, Nichole Brown, Community Development and Planning Director, Albe Minor Subdivision (Section 3, Township 7 North, Range 1 East) Amendment to Findings of Fact and Order

10:35 AM

Discussion/Decision, Solid Waste Advisory Board Recommendation for Solid Waste Assessment Reconciliation

Items for Discussion / Action / Review / Signature – Consent Agenda

- ✓ Certificate of Survey review
- ✓ Management – on-going advisory board appointments
- ✓ Claims/Payroll/minutes
- ✓ County Audit / Budget
- ✓ Mail – ongoing grants
- ✓ Correspondence – support letters

Debi Randolph, Vice Chairman (406) 266-9270 or (406) 980-2050

Darrel Folkvord, Chairman (406) 266-9272 or (406) 980-1213

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Future Meetings will be held at the Flynn Building (416 Broadway)

Please note: These meeting times/dates may change, please check the county website)

- *Noxious Weed Meeting on April 16th at 7:00 PM*
- *Airport Board Meeting on April 17th at 6 PM*
- *Parks and Recreation Board Meeting on April 29th at 6:00 PM*

The Commissioners may be attending these board meetings (except the Planning Board)

BROADWATER COUNTY

Growth Policy Addendum

2024



DRAFT

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Introduction

Adopted in 2020, the Broadwater Growth Policy (Growth Policy) is an official public document that seeks to address key environmental, economic, physical, social, and land use issues. At its core, the Growth Policy includes big-picture goals, measurable objectives, and sets guidelines that will assist Broadwater County Commissioners and the public in making decisions about how to manage county resources.

Broadwater County is a beautiful place, with a rich history and culture. The county is home to a variety of landscapes, including mountains, valleys, forests, rivers, and an even more diverse population of farmers, ranchers, business owners, families, and young professionals.

Broadwater County is facing a number of challenges as it grows. These challenges are not only unique to the county itself, but unique to the two sub-areas within the county, the north sub-area and south sub-area. Broadwater County seeks to address these challenges and lay a clear path forward with this addendum to the 2020 Growth Policy, with ultimate goals that include providing adequate public services and reliable infrastructure as well as balancing economic development, housing development, and environmental protection with the rural lifestyle and values of the residents who call this place home.

This Growth Policy addendum is intended to help Broadwater County meet these challenges and ensure that the county remains a great place to live, work, and raise families for generations to come.



Image

The Growth Policy is based on the following principles:

Sustainable Growth

Broadwater County should grow in a way that is sustainable for the environment and for future generations.

Community

Broadwater County should be a place where you know your neighbors and feel safe and connected.

Preservation

Broadwater County is proud of its farmers and ranchers and values agriculture and the people who work the land as some of its most valuable assets.

Economic Opportunity

Broadwater County should provide opportunities for businesses to thrive, create jobs, and in turn benefit both the county and its residents.

Quality of Life

Broadwater County should be a place where people can enjoy the dark skies, peace, and open spaces of Montana.

The Growth Policy can be implemented through a variety of strategies, including:

Land Use Planning

Broadwater County can utilize the land use maps to guide future growth.

Infrastructure Investment

Broadwater County can invest in infrastructure such as roads, schools, and water and sewer systems, to meet the needs of a growing population.

Public Services

Broadwater County can work to ensure that all residents have access to quality public services, such as education and emergency services.

The Growth Policy is a living document that will be reviewed and updated on a regular basis. The county should work with residents and stakeholders to ensure that the Growth Policy is meeting the needs of the community and ensure that Broadwater County remains a great place to live, work, and raise a family for generations to come.

The Process: A Community Vision Approach

Updating the Broadwater County Growth Policy and implementing effective community outreach efforts involved a thoughtful and inclusive process. The plan was developed through comprehensive outreach that included gathering ideas and information at three public meetings in northern Broadwater County and four public meetings in southern Broadwater County, a survey, and an interactive land use map. Planners also met with a variety of stakeholders, including housing advocates, trail advocates, small farmers and ranchers, conservationists, developers, and state and local agencies. This outreach effort helped to identify the community's values and priorities for growth. These values and priorities were then used to develop the land use map, which outlines the community's vision for how the area should grow and develop in the future.

Community Vision Approach — A plan developed through community engagement

Community Assessment

- Understand Broadwater County's history, demographics, and current economic and social conditions
- Identify existing strengths, weaknesses, opportunities, and threats
- Conduct surveys, interviews, and community meetings to gather input from community members

Setting Goals & Objectives

- Work with community members to define clear goals and objectives for the amended Growth Policy (these should align with the community's vision and address identified needs)

Data Collection & Analysis

- Gather data on existing land use, infrastructure, housing, transportation, and other relevant factors
- Analyze the collected data to identify trends and patterns that can inform the Growth Policy

Community Engagement

- Implement a comprehensive outreach strategy to engage the community
- Hold public meetings, workshops, and open houses to share information and gather input
- Encourage participation through surveys and feedback mechanisms

Drafting the Amended Growth Policy Report

- Work with the community to develop a Growth Policy report that addresses the community's needs and aspirations
- Include recommendations for future land use designations, infrastructure development, housing, and other topics

Review & Feedback

- Share the draft Growth Policy report with the community and state and federal agencies including USDA Forest Service, USDA Rural Development, US Department of Interior Bureau of Land Management, Montana Department of Transportation, Montana Department of Environmental Quality, Montana Fish, Wildlife & Parks, Department of Natural Resources Conservation, and neighboring counties and districts for review and feedback
- Incorporate valuable input and making necessary revisions

Finalization & Adoption

- Finalize the Growth Policy report based on community input and feedback
- Notify public of and hold public hearing, allowing for additional comments and questions
- Notify public of and hold public meeting to adopt the Growth Policy
- Make publicly available the finalized Growth Policy report

Vision & Objectives

In Broadwater County, we stand at a pivotal moment in our history, where the undeniable allure of our distinctive rural character meets the opportunities of growth and progress. Our vision for the future is to foster a thriving and sustainable community that celebrates our unique rural character and preservation of agricultural lands while embracing the benefits that growth brings.

Preserving Our Rural Heritage

We commit to safeguarding the essence of Broadwater County that generations before us cherished – our pristine landscapes, close-knit communities, and strong agricultural traditions. We will actively protect our natural beauty, open spaces, and the sense of belonging that defines us.

Balanced Growth

We seek to welcome new residents, businesses, and opportunities while maintaining the integrity of our rural way of life. We will strive for a balanced approach that ensures responsible development, affordable housing, and vibrant local economies.

Quality Education

We envision a future where our children receive a high-quality education, equipping them with the skills and knowledge to succeed in a changing world. Investing in our schools and educational programs will be a cornerstone of our growth strategy.

Sustainable Agriculture

We will continue to support our farmers and ranchers, promoting sustainable agricultural practices that not only preserve our rural identity but also contribute to a resilient local food system.

Community Connectivity

Our vision includes strengthening the bonds within our communities and improving infrastructure to connect our residents. Enhanced transportation networks, broadband access, and community hubs will facilitate growth without sacrificing our way of life.

Environmental Stewardship

We are committed to protecting our environment for future generations. Implementing eco-friendly policies, renewable energy initiatives, and responsible land use planning will be at the core of our growth strategy.

Health & Well-Being

Broadwater County will be a place where the health and well-being of our residents are paramount. We will invest in health care services, recreation, and mental health resources to ensure a high quality of life for all.

Inclusive Community

Our vision includes an inclusive community where diversity is celebrated, and all residents are welcome and valued. We will work to create an environment where everyone can thrive, regardless of background or circumstance.

Innovation & Entrepreneurship

Broadwater County will foster an environment that encourages innovation and entrepreneurship. We will support local businesses, startups, and creative endeavors to promote economic opportunities for all.

Collaborative Governance

Achieving our vision requires collaboration among residents, businesses, nonprofits, and government entities. We will work together transparently, engaging in open dialogue to make informed decisions that benefit the entire community.

... Broadwater County will continue to shine as a beacon of opportunity, sustainability, and rural beauty. Together, we will build a future that honors our past, celebrates our present, and secures our legacy for generations to come.

Building a Better Tomorrow

Values

Through the Community Vision Approach efforts outlined in the Community Vision Process on Page 5 of this report, the community engaged in discussions about values and ideas on growth in the planning area, which are summarized below. Together these values and ideas, combined with the realities our community faces, form the foundation of the future land use map.

Community Identity

When managing growth in an area, it is important to keep in mind the community identity and distinguishing features.

These features can be physical – such as the geography, buildings, parks – or social features – such as community-wide events with a sense of welcoming or belonging. In comparison to the surrounding counties of Gallatin and Lewis & Clark, Broadwater County does not hold a large city within it. Rather, it has smaller rural towns connected by agriculture lands. As the larger cities in surrounding counties grow, the development pressures are evolving in Broadwater County; the highly valued agricultural lands are turning into residential neighborhoods. To maintain Broadwater County's identity of a smaller tight-knit community it would be most beneficial to keep the rural feel of the towns with strategic planning concepts while balancing the inevitable need for public services and updated infrastructure. These services and infrastructure will need to be developed and updated in line with additional housing to mitigate costs with additional taxpayers.

Broadwater County recognizes that although the north and south sub-areas face different struggles, as a community they are united in their values. Protecting land, water, and quality of life are of the utmost importance to Broadwater County. Through this updated Growth Policy, we aim to provide guidance for balancing those values with future growth and development.



Open Space

Value

Broadwater County will continue to take decisive measures to conserve its sprawling grasslands, mountain views, and pristine waterways for sustained ecological balance.

Residents value their open space and dark skies, features which many contribute to settling in Broadwater County in the first place. The vast, unspoiled landscapes and expansive open spaces provide the county's unique character and promote a sense of tranquility and connection to nature. Conserving these dark skies ensures the preservation of diverse ecosystems and promotes biodiversity. Additionally, having open spaces and dark skies enhances the overall quality of life by providing a respite from the hustle and bustle of city life.

Reality

The impact of growth on the environment and local ecosystem, including air and water pollution, and loss of wildlife habitat is inevitable, but can be mitigated through careful planning and development that balances economic growth with environmental sustainability and community well-being.

One way to accomplish this is by allowing for higher density housing within rural areas through clustered development, which can preserve a majority of the land as open space and farmland. Rural clustering can in turn protect open space for wildlife habitat, recreation, and agriculture. Establishing greenbelts and open space preservation can buffer areas around urban centers to limit outward expansion.

It is a fundamental goal to continue to protect natural habitats, parks, and recreational areas within these agricultural lands, greenbelts and similar open areas, while accommodating new commercial and residential growth compatible with these goals.



Agriculture

Value

Broadwater County, committed to its deep agricultural roots, aims to cultivate a network of “agriculture first” communities where farmers and producers thrive, and their efforts are nurtured by a net of local support.

Reality

While growth can bring economic benefits, there is a risk that it will also bring negative impacts such as increased traffic and pollution. Additionally, there is a concern that growth will lead to the loss of the area’s rural character and way of life. The goal is to establish an agricultural-specific land use designation and incorporate protection of small agricultural operations into planning tools. Development in this area will be designed to protect important resources such as agricultural land, natural landscapes, and waterways. This land use would support economic diversity and contribute to the county’s health by providing for the local and regional production of agricultural products. With agriculture being Broadwater County’s largest industry, it is fitting that these lands will be preserved to enhance the production of food products to compensate for a growing population. Sustainable agricultural practices ensure the long-term viability of the county’s farming and ranching community.

Farmers and related ag producers are a large contributor to the local economy in Broadwater County. It is important that land suitable for crops, grazing, and production be utilized in these ways to promote the sustainability of this agriculturally centered community. Future land use designations for commercial, residential, and industrial development have been chosen to be primarily located off of agricultural land with prime soils. With agricultural activities being the county’s largest industry, it is a critical component to preserve these areas so that they can continue valuable production for the region. As water resources in the area become an increasing concern, it is crucial that the availability of water used for irrigation on these farmlands are not negatively impacted by future development.



Housing & Density

Value

Committed to balanced growth, Broadwater County strives to strategically expand housing and services within its rural framework, prioritizing both community needs and open spaces.

It is necessary to be mindful of the community's rural identity, which enticed many residents to the county in the first place, when considering future housing projects. Future housing should not distract from, but rather enhance the sense of place that has already been established within the community. It is important when planning for new areas of development that they do not put an excess strain on the water supply and should have minimal impact on surrounding homes.

Reality

Broadwater County has seen a significant 27 percent population growth since the 2010 Census, creating a delicate balance between maintaining a rural community feel and addressing housing needs. Strategic planning is essential to align with community identity and infrastructure constraints. The urgent demand for affordable housing across income levels is a statewide and national concern, exacerbated by rising land prices. Developers face challenges in balancing profitability, consumer space, and density. Innovative solutions like mixed-use buildings are effective in growth areas, but rural implementation faces unique infrastructure and risk challenges.

A land use designation map prioritizes higher density around existing infrastructure, considering factors like land use, access, and water availability. An evaluation framework for new housing subdivisions examines potential impacts on the environment, agriculture, local services, public health, safety, and wildlife habitat. Careful deliberation is crucial to ensure that future developments preserve the current residents' way of life and essential resources.



Infrastructure Planning

Value

Broadwater County should leverage its already existing infrastructure while thoughtfully planning for future development, ensuring its rural character endures alongside progress and modern conveniences.

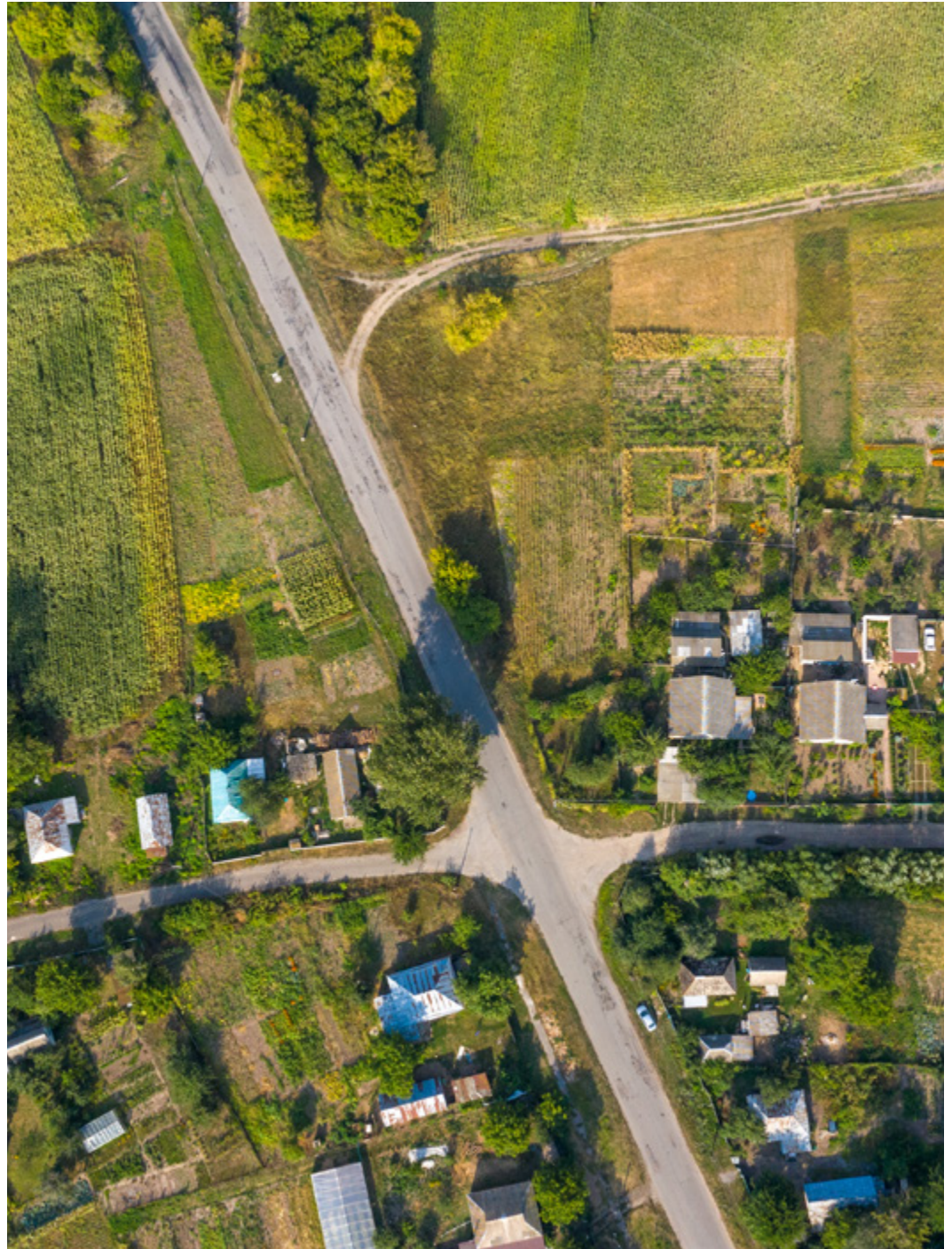
Focusing on critical areas and infrastructure that directly impact residents' daily lives shall be prioritized. These include water supply, sanitation, and road maintenance. Identifying essential needs versus wants for infrastructure planning is imperative when being mindful of financial constraints and utilizing public funds efficiently.

Reality

Expanding infrastructure strategically is crucial for county development. Upgrading existing systems during new developments benefits residents by reducing failures. Phased large projects offer flexibility for immediate needs and future expansions.

Cost-effective strategies involve utilizing existing infrastructure, like concentrating growth on upgraded arterial roads. This targeted approach allocates funds wisely, promoting community integration and social cohesion.

Developing around established infrastructure accelerates timelines, benefiting rural communities with sustainable, cost-effective approaches. Striking a balance is crucial for long-term sustainability, ensuring positive contributions to the community and surroundings.



Water Quality

Value

Committed to both environmental health and economic prosperity, Broadwater County values sensible measures to safeguard the quality and quantity of its surface and groundwater resources, ensuring long-term sustainability for agriculture, recreation, and industry.

Reality

Future growth and development of Broadwater County will bring challenges in maintaining the water quality if not addressed prior to construction. Infrastructure planning and development in the county should be aligned with water quality preservation objectives. It will be necessary to prioritize the expansion and maintenance of water treatment facilities, sewage systems, and stormwater management systems to safeguard water quality during concentrated growth.

Broadwater County must be proactive in protecting surface water bodies through land use designations and planning that would minimize the potential for contamination and conflict. Surface water bodies can be protected by establishing and enforcing buffer zones and regulations around lakes, rivers, and streams to prevent contamination from rural and agricultural runoff. Investment in the restoration and preservation of wetlands can enhance natural filtration and water purification processes.

Groundwater resources also need to be safeguarded from contamination. Monitoring and tracking water quality over time is crucial to detecting contamination as well as establishing policies to minimize the risk of groundwater pollution from industrial activities and hazardous materials.

Areas for residential, commercial, and industrial development can be designated away from sensitive water bodies, requiring the implementation of best management practices (BMPs) to prevent pollution in these areas.

Partnerships with local, regional, and national agencies, as well as non-governmental organizations and community groups can be forged to coordinate efforts, share resources, and leverage expertise in water quality management.



Water Availability

Value

As water resources become increasingly vital, Broadwater County will work with agencies and stakeholders to examine policies and practices that will ensure compatibility with long-term sustainability and development goals.

Reality

Broadwater County is located in the Upper Missouri River Basin, which is closed to new water right permits. The only way to obtain a new water right is through mitigation (or retiring) of an equivalent existing water right. Small groundwater developments (i.e., individual single-family dwellings) up to 35 gallons per minute (gpm) and 10 acre feet (af) per year are exempt from the water right permitting process but are subject to the Department of Natural Resources and Conservation (DNRC) Combined Appropriations Rules.

Essentially, any tract of record or current geocode parcel that was in existence prior to October 2014 has the potential to develop up to 10 af of exempt groundwater for beneficial use per development project. Remainder parcels outside of the project area (i.e., proposed subdivision) that are greater than 20 acres in size can each utilize an additional 10 af of volume for future projects as long as they are not manifolded with the preexisting project. Such exempt groundwater developments must be filed with the DNRC on Form 602 (Notice of Completion of Groundwater Development) after they have been established.

A large water right permit (with mitigation) for larger wells would allow for denser, clustered growth from community well systems without the impacts often felt by numerous small exempt wells that compete for water within the same aquifer. Aside from high permitting and construction costs for large well permits, there is significant cost and complexity associated with locating and acquiring a suitable mitigation water right because it typically requires the retirement of historical water use (often agricultural irrigation), and it also sometimes requires that infrastructure be built to enable active mitigation with pits or infiltration galleries to offset timing and location issues relative to surface water versus groundwater usage.



Wildlife Habitat & Ecosystems

Value

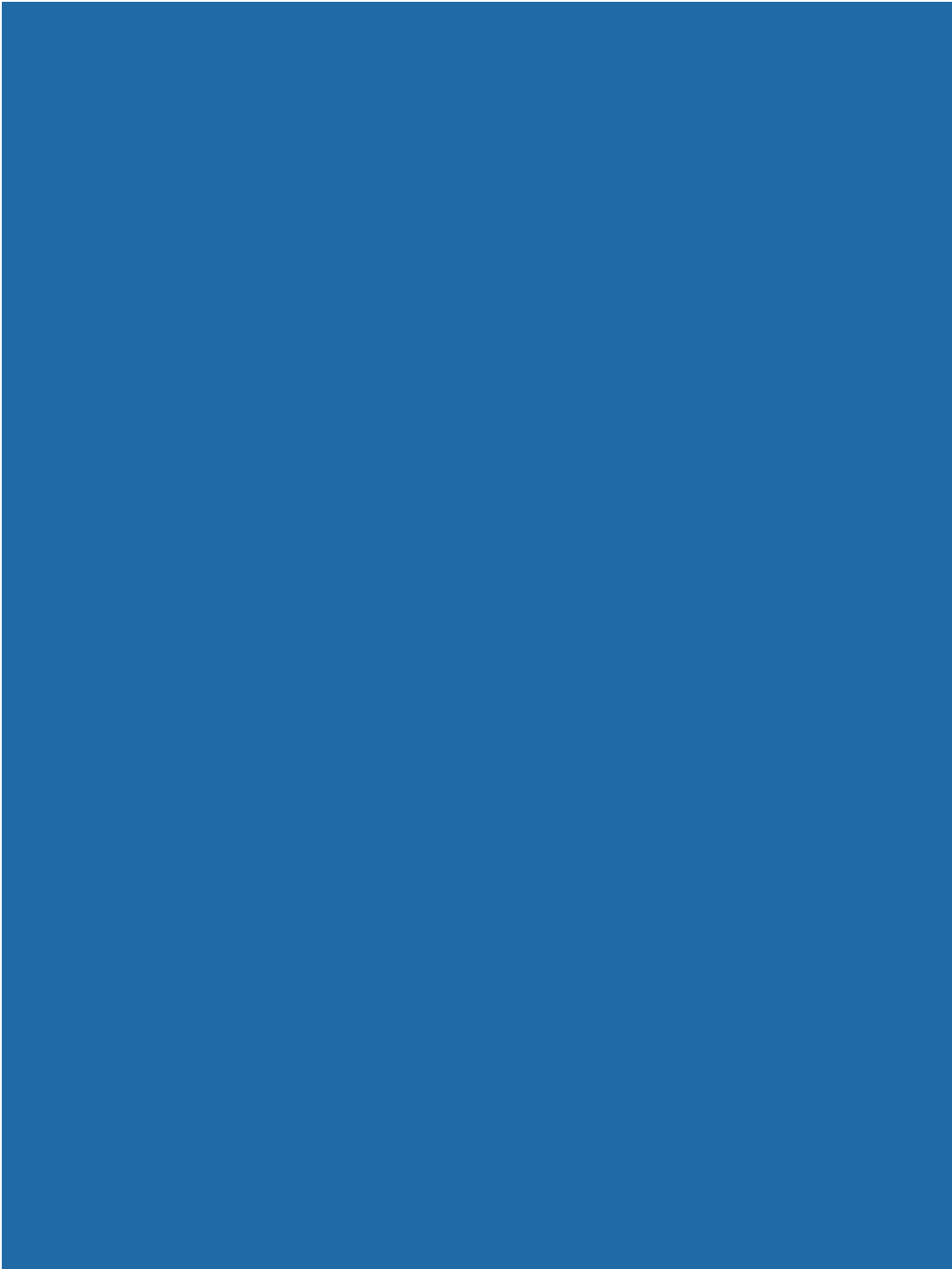
Broadwater County boasts a rich natural environment that includes the Missouri River, Canyon Ferry Reservoir, Elkhorn Mountains, Big Belt Mountains, Limestone Hills, and various other waterways, riparian areas, and wildlife habitats. These elements are not only vital for the local ecosystem but also contribute to the beauty and quality of life enjoyed by residents.

Reality

However, the reality is that with human population growth and development, encroachment upon these habitats and ecosystems is inevitable. Acknowledging this necessitates prioritizing low-impact planning and development strategies to minimize environmental harm while accommodating growth..

One specific example mentioned is the utilization of existing infrastructure around Townsend and the west side of Canyon Ferry Reservoir which is directly adjacent to Canyon Ferry Wildlife Management Area (WMA) but by utilizing these already established facilities, development can be concentrated in areas that are less ecologically sensitive. Additionally, less invasive and impactful development should be encouraged and prioritized in areas directly adjacent to Canyon Ferry WMA and other areas utilized by wildlife to minimize disruption.

Overall, this necessitates prioritizing low-impact planning and development strategies to minimize environmental harm while accommodating growth. By prioritizing low-impact planning and leveraging existing infrastructure, Broadwater County can strive to maintain its unique natural heritage while also supporting sustainable growth and prosperity for its residents.



Develop Neighborhood Character

Value

Deeply rooted in its rural character, Broadwater County establishes development objectives that both preserve its cherished identity and enhance the quality of life for its residents.

Reality

Actions are needed in order to meet these objectives and provide a guideline for a strategically planned future. Some objectives to maintain and improve unique neighborhood character include preserving historic and architectural assets, promoting design guidelines, preserving green spaces/natural assets, promoting community engagement, balancing development, and promoting inclusivity and diversity.

Preserving and enhancing neighborhood character is an ongoing commitment that requires collaboration between the communities, residents, and stakeholders. By implementing strategies, we aim to protect the unique identity of our neighborhoods, ensuring they remain attractive, vibrant, and cherished places to live, work, and play for generations to come.



Quality Education

Value

Broadwater County envisions a future where our children have access to high-quality education, equipping them with the skills and knowledge to succeed in a changing world.

Reality

Broadwater County must be proactive when planning for future development, services, and infrastructure. Growing pains of existing school infrastructure are inevitable as class sizes become larger; facilities may seem to feel overcrowded, and education is therefore negatively impacted. Teachers are taking on higher class sizes, which can lead to a lack of individualized attention to support each student. Funding and lack of resources make it difficult to respond rapidly to unexpected increases in enrollment, but with proper future planning school systems can be more adaptable and able to serve the community at a higher capacity.

Investing in our schools and educational programs will be a cornerstone of the Growth Policy. Quality education is the foundation for personal growth, community development, and economic prosperity. In our rural community, we are committed to ensuring that every individual has access to high-quality education that empowers them to reach their full potential.

Map or image

Multi-Modal Transportation

Value

Broadwater County envisions well-connected communities that prioritize safety and resident wellbeing. Having multiple options of multi-modal transportation enhances accessibility and community cohesion. This also facilitates interactions among residents and the interconnectedness contributes to a supportive and safe community environment.

Reality

Residents in rural communities face a lack of public transportation options, making it difficult to get around for individuals without access to a personal vehicle. Multi-modal transportation systems integrate buses, bicycles, and walking paths enabling residents to navigate the town more conveniently and efficiently. This can be a catalyst for economic growth in small towns attracting more people to the area. Businesses benefit from the increased foot traffic and improved access to employees, leading to job growth and the expansion of the local economy.

The presence of well-maintained trails, bike lanes, and pedestrian friendly areas can encourage active lifestyles, which has far-reaching benefits for public health and mental health. Walking and biking to daily destinations can help combat sedentary lifestyles, leading to a healthier population in an area that is otherwise auto dependent.

These alternative forms of transport can also significantly reduce the carbon footprint by decreasing the number of vehicles on the road. Walking and biking promote healthier forms of transport and align with the environmental values of a rural community.



Land Use Trends & Additional Realities

In addition to the factors noted in the previous text, land use trends and growth opportunities are influenced by environmental realities and geographic and economic constraints and opportunities. Broadwater County must balance the impact of major transportation arteries, multiple mountain ranges and waterways including Canyon Ferry Reservoir and the Missouri River, as well as current economic realities. The following section outlines land use trends as well as the additional realities that impact growth and development.

Land Use Trends

Commercial Trends

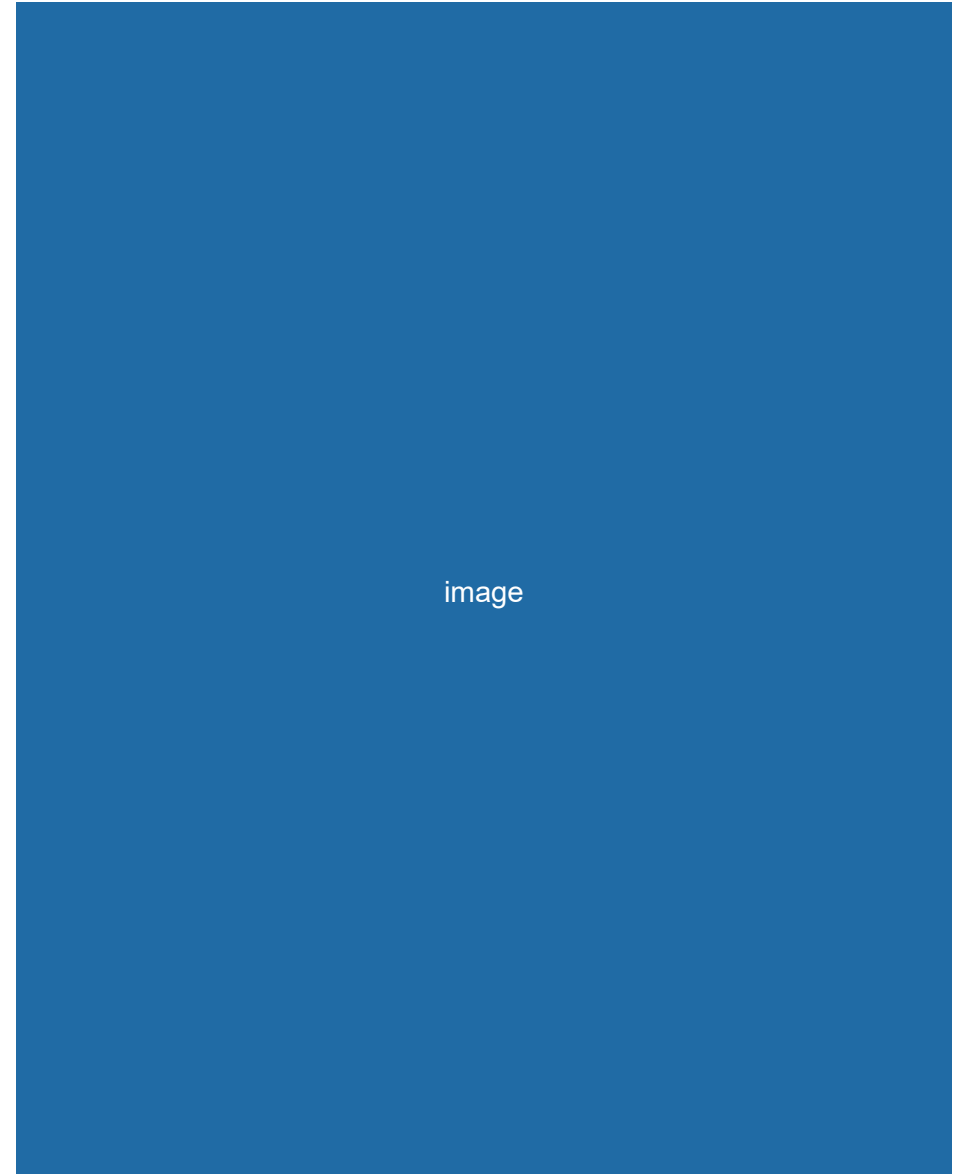
- Focus on availability of current infrastructure as the key to locating office, retail, and commercial land uses
- Acknowledge that future retail development will likely incorporate amenities, entertainment, and mixed-use spaces
- Identify potential locations for small scale development to serve existing neighborhoods

Industrial Trends

- Utilize existing industrial areas and buildings more efficiently and effectively
- Locate potential industrial areas near existing infrastructure, but away from incompatible uses
- Understand that industrial uses often need commercial space as well to sell products or include a showroom

Residential Trends

- Allow for a wide range of housing types and densities in their respective areas
- Allow the market to react and adapt to changing housing needs for the consumer
- Accommodate an adequate supply of housing to provide people of all ages a place to live



Environmental & Geographic Factors

Development opportunities are naturally limited in Broadwater County, with 35 percent of the total land in the county being designated as federal and state managed public land. Accessibility to heavily traveled roads is also a factor in determining where to build development. US Highway 287 runs through Broadwater County, providing access to the larger economic hubs at Helena and Bozeman, and proximity to these systems proves to be a valuable asset for commuters.

Unlike communities in other parts of the country, the physical geography of Broadwater County plays a significant role in where and how the community can grow. These physical features, including the slopes of the nearby mountains, Canyon Ferry Lake, and the Missouri River, all play a part in directing where the community can expand and limits where future growth can and cannot occur. Oftentimes, these very scenic features are also a driving force for why people choose to live near or visit such a place. The county must be cognizant in preserving these very unique lands and landscapes.

Avoiding Environmental Hazards

Development Near Floodplain

As Broadwater County considers future development, understanding flood risks is crucial. The Federal Emergency Management Agency (FEMA) maps out floodplains, highlighting areas vulnerable to high water during extreme weather. Smart growth principles encourage development outside these zones, minimizing disaster risks for residents and infrastructure.

By clustering development safely away from floodplains, communities gain numerous benefits. This approach helps protect homes and businesses from flood damage, reducing the need for costly repairs and minimizing disruptions to daily life. It also allows for more sustainable land use, preserving valuable natural areas within floodplains and promoting biodiversity. Additionally, compact and walkable communities built outside flood zones can decrease reliance on cars and contribute to lower greenhouse gas emissions.

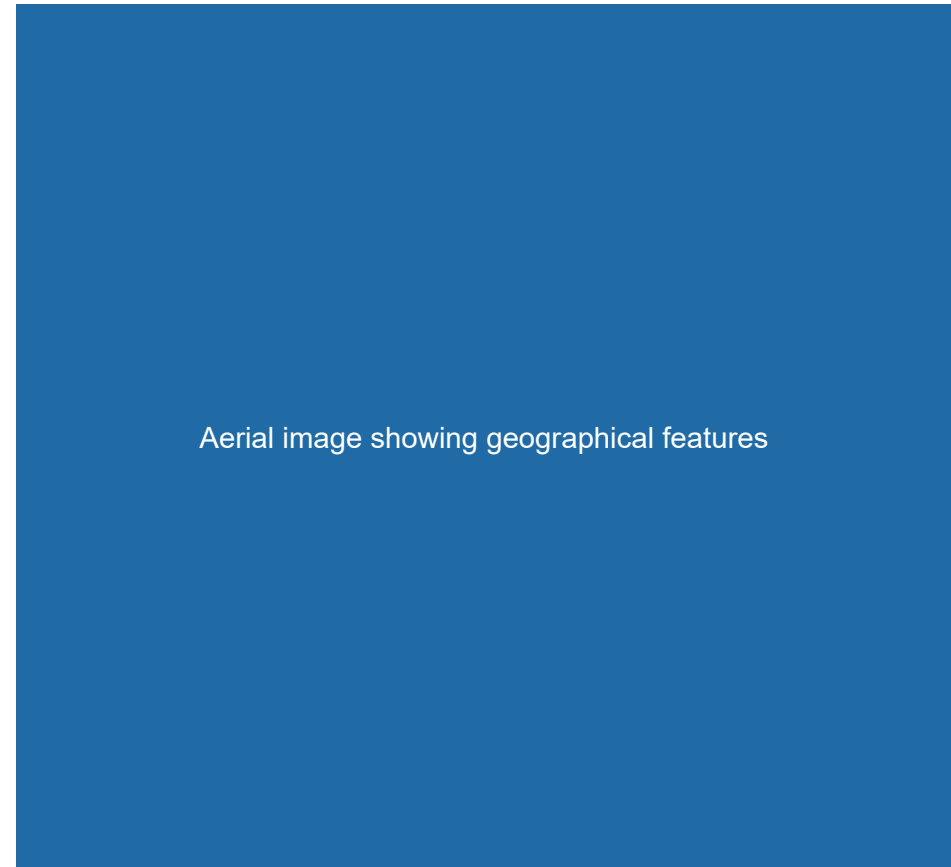
Wildfires

Broadwater County knows the devastating impact of wildfires. Thousands of acres have burned in past years, with peak fire season falling during the summer months. A significant portion of the county's residential development resides within the wildland urban interface (WUI). This zone, where private property edges up against fire-prone public forests, faces heightened wildfire risk.

Protecting homes in the WUI comes at a high cost, both financially and in terms of public safety. This burden grows as more development occurs within these vulnerable areas, straining the resources of firefighting agencies.

The Broadwater County Subdivision Regulations offer a proactive approach to managing wildfire risk within the WUI. These regulations recognize the fire-prone nature of these areas and set crucial requirements for new developments. By establishing regulations for access routes, construction materials, water supply, and fuel breaks, the county can significantly improve fire protection within the WUI. These measures can literally save lives in the event of a large wildfire.

By acknowledging the risks and taking proactive steps, Broadwater County can build a more resilient future for its residents and reduce the devastating impact of wildfires.



Prices

In recent years, the rural areas of Montana have experienced a significant transformation that has caught the attention of both residents and observers alike. While Broadwater County has long been known for its friendly, tight-knit communities and affordable living, the rising housing prices in these rural areas have been a cause for concern.

Several factors have contributed to the rising housing prices in rural Montana:

Urban spillover

As urban areas become more expensive and crowded, people are increasingly looking to rural communities for more affordable housing options. This influx of urban residents has driven up demand in rural areas, pushing land and housing prices higher.

Remote Work

The COVID-19 pandemic accelerated the trend of remote work. Many people, particularly those working in the technology and creative sectors, realized that they could live anywhere with an internet connection. Rural Montana, with its natural beauty and lower living costs, became an attractive option.

Limited Housing Inventory

Broadwater County has a limited housing inventory to begin with, and new construction may be slow due to various factors such as lack of infrastructure or feasibility of developments. This limited supply exacerbates housing prices.

The rising housing prices of Broadwater County are a complex issue with multifaceted effects on local communities. While the influx of new residents and economic growth can be beneficial, it's essential to strike a balance that preserves the unique character of rural areas and ensures housing remains accessible to all. Implementing thoughtful policies and community driven initiatives can help Broadwater County continue to thrive while addressing the challenges of a changing housing market.

Attainable Housing

As Broadwater County continues to evolve, the need for attainable housing becomes increasingly apparent. Attainable housing is defined as housing that is affordable to those earning the Area Median Income and spending no more than 30 percent of their income on housing costs. Housing that is affordable and accessible is not only a fundamental human right but also a cornerstone for the economic and social well-being of the community.

Rural areas often face distinct challenges when it comes to housing. Lower wages, limited economic opportunities, and sparse infrastructure can contribute to the struggle for attainable housing. Additionally, the lack of large-scale development projects and the prevalence of agricultural landscapes can limit the available land for housing developments.

To overcome the challenges associated with limited resources, rural communities like Broadwater County can engage in collaborative partnerships with private developers, nonprofit organizations, and government agencies. These partnerships can leverage a combination of funding, resources, and expertise to create housing solutions that are tailored to the specific needs of each community and at the same time protect and preserve natural resources and key agricultural lands and “ag” related industries and operations.

Developing attainable housing often requires finding creative financing solutions. Broadwater County can explore options such as public-private partnerships, low-interest loans, and grants to incentivize housing projects. Government incentives for developers who commit to creating affordable units can also encourage the private sector to participate in addressing the housing needs of the county.

Rural counties can maximize existing resources by exploring adaptive reuse and redevelopment of underutilized properties. Repurposing vacant buildings or converting unused spaces into housing units can provide a cost-effective solution while preserving the character of the community and meeting the demand for housing.

By fostering collaborative partnerships, exploring innovative financing models, repurposing existing structures, and implementing policy reforms, Broadwater County can build a foundation for sustainable and inclusive housing solutions. The goal is to not just create houses, but homes that contribute to the vitality and resilience of rural communities for generations to come.

Broadwater County Imperatives

Broadwater County strives to be a safe and affordable place to live, with a quality of life that provides its residents with services, education, and amenities for generations to come. While our values may, at times, conflict with the realities we are facing, compact development patterns, and a logical expansion of urban and or rural services are the best strategies for balancing the community's values. Keeping these values at the forefront of the mapping process means we can provide room for housing and employment while ensuring that our working lands and natural systems remain a part of the community fabric.

Communication & Transparency

Communication and transparency are essential in the relationship between rural local government and its residents.

Transparent communication builds trust between the government and its residents. Residents are more likely to trust their local government when they are kept informed about decision-making processes, budgets, and the allocation of resources. When trust is established, it leads to greater accountability on the part of the government as well as an overall sense of community trust.

Residents need to be aware of the government's plans, policies, and projects that directly affect their lives. When information is readily available, it empowers residents to make informed decisions and engage in processes such as voting and participation in public meetings. Residents are more likely to participate in public meetings, share their opinions, and collaborate with the government when they feel their input is valued and considered in the decision-making process.

Effective communication helps ensure that government services and resources are used efficiently. When residents and government officials can openly discuss needs, concerns, or feedback, it can lead to more effective solutions and policies that address the specific needs of the community. Effective communication prevents misunderstandings or misinterpretations of government actions or policies, leading to smoother implementation and fewer conflicts.

Prioritizing these principles of communication and transparency can create stronger, more resilient, and more inclusive rural communities.

Offer Rural Living with Accessible Services

Living in a rural community such as Broadwater County provides residents the opportunity to escape the hustle and bustle of urban life while also prioritizing accessibility to vital services such as health care, education, and grocery stores. Well planned infrastructure ensures that residents don't have to compromise on their basic needs.

Rural living with accessible health services includes medical clinics, telehealth options, and transportation solutions to ensure prompt medical attention when needed. These facilities should be strategically located within reach of rural communities.

Families choosing the rural lifestyle can access quality education through local schools or remote learning options. Rural areas are starting to become more desirable for professionals as remote work continues to be an option. Co-working spaces and remote work options enable individuals to pursue their careers while enjoying a lifestyle more suitable for themselves and their families.

In order to have the best of both worlds, digital connectivity with reliable internet is crucial to stay connected with jobs, friends, family, and colleagues as well as having access to online resources and entertainment.



Building a Resilient Agriculture Future

A thriving agricultural sector forms the backbone of a resilient and prosperous community. It ensures food security, bolsters economic stability, and promotes environmental sustainability. Cultivating the vibrant, agricultural landscape of Broadwater County will require a strategic, multi-pronged approach that vigorously empowers farmers and ranchers, strengthens market access, and safeguards the foundation for long-term success.

Empowering Farmers & Ranchers for Enhanced Productivity

Providing farmers and ranchers with access to knowledge and resources is paramount. This can be achieved through educational workshops and extension services, which equip them with modern techniques, sustainable practices, and data-driven decision-making tools. Additionally, establishing community funds, offering favorable loans, and fostering farmer cooperatives can alleviate financial constraints and enable investments in critical equipment and infrastructure.

Building Direct Connections for Improved Market Access

Connecting farmers and ranchers directly with consumers is crucial for optimizing profitability and reducing reliance on intermediaries. This can be achieved through the development of local markets, online platforms, and partnerships with local restaurants and institutions. Additionally, investing in robust rural infrastructure, including upgraded roads, reliable irrigation systems, and well-equipped storage facilities, encourages efficient distribution and minimizes post-harvest losses.

Safeguarding Agriculture Land for Future Generations

Responsible land use planning is essential for long-term agricultural sustainability. Implementing zoning regulations and conservation easements are options that can safeguard fertile land from encroachment by urban sprawl and unsustainable development. Furthermore, promoting crop diversification and the adoption of sustainable farming and ranching practices, such as organic agriculture and responsible water management, fosters a resilient ecosystem and enhances long-term land productivity.

Cultivating a Supportive Community Environment

Raising public awareness about the benefits of local agriculture is critical for building a supportive community environment. Public education campaigns can highlight the environmental advantages, economic contributions, and superior quality of locally grown produce and livestock, encouraging conscious consumer choices. Agricultural processors in Broadwater County also provide much needed jobs for local residents.

By implementing these comprehensive strategies, communities can cultivate a robust agricultural sector that not only ensures food security and economic stability but also contributes to environmental well-being. The core message and overall strategic plan is to maintain and foster a thriving agricultural community while at the same time accommodating economically strong local communities, including residential development with related supporting land uses and services.

Understand Water Availability to Make Informed Decisions

In Broadwater County, informed development decisions are intricately tied to understanding water availability. Accurate data on current and projected water resources is crucial for making sustainable choices about growth, ensuring both development potential and long-term water security for residents. This information should be collected and analyzed comprehensively, considering factors like precipitation patterns, groundwater levels, and potential changes due to climate or other external influences.

Public engagement is equally essential. Residents hold valuable knowledge about local water sources, historical trends, and potential usage patterns. By incorporating their feedback into the decision-making process, Broadwater County can develop strategies that align with community needs and priorities while respecting the limitations of its water resources. Open communication and transparency will foster trust and build a shared understanding of the challenges and opportunities related to water management.

Ultimately, Broadwater County's future prosperity hinges on making data-driven and community-informed decisions regarding water availability. By prioritizing both reliable information and public engagement, the county can craft a development path that balances present needs with long-term sustainability, ensuring a thriving future for generations to come.

Use, Plan, & Expand Infrastructure

Broadwater County stands at a crossroads. Balancing its cherished rural lifestyle and abundant natural resources with the needs of a growing population requires a vision that embraces both preservation and progress. This approach demands strategic investment in infrastructure, both leveraging existing assets and thoughtfully expanding to accommodate measured growth.

Utilizing Existing Infrastructure

Developing around existing infrastructure is not just cost-effective; it's sustainable, minimizing environmental impact, promoting accessibility, and fostering economic viability. Building adjacent to existing roads, utilities, and services reduces upfront costs compared to building new infrastructure from scratch. This not only saves taxpayer dollars but also minimizes environmental disruption and preserves precious open spaces. Additionally, established infrastructure connects residents and businesses to necessary services, enhancing quality of life and attracting economic opportunities. By efficiently utilizing existing amenities, Broadwater County can lay the groundwork for smart, sustainable growth.

Planning for Expansion

While acknowledging the value of existing infrastructure, responsible long-range planning must also address areas where expansion is necessary. To maintain Broadwater County's rural character and protect its natural wonders, such expansion must be deliberate and strategic. Focusing on compact, sustainable development patterns is key. This can involve infill development within existing towns, encouraging pedestrian and bicycle-friendly communities, and prioritizing mixed-use zoning that promotes social interaction and reduces reliance on cars. Additionally, conservation easements, agriculture covenants, and land-use policies can safeguard agricultural lands and open spaces, ensuring that growth respects the very elements that define Broadwater County.

By adopting a strategic approach that utilizes current infrastructure and carefully plans for controlled growth, Broadwater County can secure a future that balances progress and preservation. This approach, rooted in sustainability and responsible planning, aims to support a thriving community while maintaining its distinctive qualities that contribute to its significance in Montana.



Emphasize Community Character & Quality of Life

Rural areas such as Broadwater County possess a unique charm and authenticity that is often absent within urban centers. The heart and soul of a rural community lie in its character and quality of life. While urban areas are bustling with activity, rural areas offer close-knit communities, tranquility, and a strong connection to nature. Preserving these qualities is crucial to ensure that rural communities thrive in the face of modern challenges.

One way to preserve these rural qualities is to support local economies. A thriving local economy is fundamental to enhancing the quality of life in rural areas. By focusing on community character, rural regions can promote businesses that align with their unique identity such as arts-based crafts, locally sourced agriculture and agritourism. This not only helps boost the local economy but also ensures that rural communities remain self-sufficient and maintain their character.

Strengthening social connections can emphasize community character, nurturing these connections through events, gatherings, and shared activities. From farmers markets to local festivals, these events help residents bond and create a stronger, more resilient community.

Implementation

Broadwater County and its partners must work together to implement this strategy over the next 20 years through a series of strategic steps. Successful follow through for the Growth Policy implementation includes ongoing community outreach, monitoring and evaluation, and recognition of achievements by contributors as detailed below:



Implementation Strategy

- Develop a detailed implementation strategy that outlines specific actions, responsible parties, and timelines for executing the recommendations in the Growth Policy



Community Outreach for Implementation

- Communicate the adopted Growth Policy to the community
- Provide regular updates on the progress of implementation through various channels
- Seek ongoing input and collaboration from the community throughout the implementation phase



Monitoring & Evaluation

- Establish a monitoring and evaluation system to track the impact of the Growth Policy over time
- Review and update the policy to adapt to changing circumstances and community needs (every five years according to statute but annual review is best practice)



Recognition

- Acknowledge and celebrate achievements and milestones in the Growth Policy implementation
- Recognize the contributions of community members and stakeholders

The implementation strategy focuses on six major themes: Transparent Communication, Open and Rural Land Preservation, Water Availability Management, Infrastructure Planning, Collaboration, and Funding and Support Resources.

Transparent Communication & Information Platform

To facilitate an open exchange of ideas and feedback, developing and maintaining a communication platform that allows for resident notifications as well as input is crucial. This platform should inform residents of public and private development projects and provide continuous communication between residents and government agencies, which will ensure that all stakeholders are well-informed and have ample opportunities to contribute to the decision-making process.

Additionally, regular updates and notifications on public and private development projects will promote community engagement and foster a sense of involvement and understanding among residents. This transparent communication platform serves as a vital tool for establishing a collaborative and inclusive environment, where the concerns and perspectives of all stakeholders are considered in the ongoing development and decision making processes.

Open & Rural Land Preservation

Conservation easements and agriculture covenants have emerged as a powerful tool to protect and preserve natural landscapes and agricultural lands for future generations.

Conservation easements are facilitated between private landowners and conservation organizations as a means to safeguard the environment, biodiversity, and beauty of the natural landscape. Development is limited in these areas to protect the natural, scenic, and cultural values of the land. Conservation easements established within Broadwater County are for the purpose of preserving the area's natural resources and agricultural land. These conservation easements in Broadwater County can also exist for the purpose of water quality protection, where easements are designed to protect water sources ensuring the maintenance of water quality. Conservation easements are designated as open space on the land use map and are combined with other public lands.

Another way to preserve open space and encourage continued agricultural use of land is through agriculture covenants through the Montana Subdivision and Platting Act (MSPA and Agricultural Covenants). This Act provides an exemption from subdivision review for land divisions if an agricultural covenant is placed on each resulting parcel.



Understand Water Availability & Water Quality Constraints & Opportunities

Understanding water availability is fundamental to sustainable development in Broadwater County and throughout Montana. With a rising population and potential urban sprawl, managing water resources effectively becomes crucial. Water studies offer a critical tool to guide development planning in both urban and rural areas.

These studies analyze key factors like groundwater levels, river flow patterns, and recharge rates, providing a comprehensive picture of the county's water landscape. This knowledge informs decisions on where to develop, how densely, and how to minimize impact on existing water sources and the environment.

Efficient water management is also essential for sustainability and environmental preservation. Water studies guide the design of infrastructure like drainage systems, treatment plants, and water supply networks. By understanding natural water flow, infrastructure can be optimized to minimize environmental impact and meet the needs of a growing population.

Investing in water studies is an investment in Broadwater County's future. By making informed decisions based on accurate data, the county can ensure sustainable development, responsible land use, and a secure water supply for generations to come.

Infrastructure Planning

Building and managing infrastructure to proactively guide how and where growth occurs is crucial for future development. By identifying key areas for growth and preservation and considering factors such as natural resources, environmental constraints, and existing infrastructure, Broadwater County will be able to prioritize investments in basic infrastructure such as roads, water supply, sewage systems, and utilities.

This proactive approach not only ensures efficient and sustainable development but also minimizes potential adverse impacts on the environment. By aligning infrastructure investments with the identified areas for growth and preservation, Broadwater County can create a resilient foundation for its future, fostering a well-balanced coexistence between development and environmental conservation.

Example:

Using the future land use map to identify key locations essential to proposed future development as well as possible amenities that will contribute to resident quality of life. Key projects and amenities may include but are not limited to road improvements and traffic calming features, shared-use paths connecting subdivisions with open space areas and town centers.

Collaboration

Broadwater County's collaboration with the City of Townsend and its growth policy and anticipated updates, as well as with neighboring counties, is essential for cohesive and efficient future planning of infrastructure and public services expansions.

Working together, Broadwater County, the City of Townsend, and neighboring counties can achieve a future where infrastructure and public services are efficiently planned and expanded, exceeding the limitations of individual boundaries. This collaboration fosters economic prosperity that is shared broadly, creating a sustainable and resilient region where everyone can thrive.

By actively investing in these partnerships and aligning their goals, Broadwater County and its neighbors can navigate future challenges and capitalize on opportunities more effectively, ensuring a bright and prosperous future for all.

Funding Support & Resources

Understanding available resources is crucial for strategic and comprehensive capacity building in Broadwater County. Financing opportunities available for Broadwater County can include coordination with entities such as the Department of Commerce or nonprofits that specialize in assisting residents/boards with resources for infrastructure development and planning coordination as well as providing the guidance needed for growth that enhances the community and quality of life. Another available option for Broadwater County is to utilize the tax financing options available in Montana. These strategies target tax dollars to specific areas to incentivize growth or for reinvestment. The following list highlights resources for better understanding our infrastructure and capacity needs:

State Agencies

- Montana Department of Commerce
- Department of Natural Resources and Conservation
- Montana Department of Transportation
- Bureau of Mines and Geology
- Broadwater County Development Corporation
- Montana Business Assistance Connection

Federal Agencies

- USDA National Resource and Conservation Service
- USDA Rural Development
- U.S. Forest Service
- U.S. Bureau of Land Management
- U.S. Bureau of Reclamation

Nonprofit Organizations

- Midwest Assistance Program
- Montana Land Reliance
- Prickly Pear Land Trust

Tax Financing Options

- Improment District (RID)
- Local Special Assessment District
- Tax Incriment Financing



Grant Funding Strategy

Positioning Broadwater County for grant funding opportunities involves a combination of strategic planning, community engagement, and effective communication. Following these steps can enhance Broadwater County's competitiveness for grant funding and better position itself to address the community's needs.

Utilizing Future Land Use Map

The future land use map should be used to assist in prioritizing and visualizing areas in need of infrastructure development and improvement. Identifying the areas planned for denser residential growth or commercial/industrial growth demonstrates the county's commitment to proactive planning efforts.

Identifying Community Needs

Conduct a comprehensive needs assessment to identify the challenges and needs of the community. This will help target specific areas that align with potential grant opportunities.

Establish Clear Goals & Objectives

Develop clear and achievable goals and objectives based on the identified needs. Define what the county wants to accomplish with grant funding and how it will benefit the community.

Build Community Partnerships

Collaborate with local community organizations, nonprofits, businesses, and other stakeholders. Strong community partnerships enhance credibility and demonstrate a collaborative approach to addressing community needs.

Research Grant Opportunities

Stay informed about available grant opportunities from government agencies, foundations, and other sources. Subscribe to newsletters, attend workshops, and regularly check grant databases to identify relevant opportunities.

Diversify Funding Sources

Explore various types of grants, including government grants, private foundation grants, and corporate grants. Diversifying funding sources reduces dependence on a single funding stream. Also, utilize varied funding sources to help accomplish larger projects, collaborate with multiple stakeholders, commit budget funds to priority projects, etc.

Grant Writing Skills

Develop or hire individuals with strong grant writing skills. A well-crafted proposal is essential for securing funding. Consider cross-training multiple staff or seeking professional grant writing assistance.

Understand Grant Requirements

Review and analyze the eligibility criteria, application guidelines, and reporting requirements for each grant opportunity. Ensure that Broadwater County meets all of the necessary criteria before applying. This is especially critical when it comes to having up-to-date regulatory documents and plans.

Data Collection & Documentation

Collect and document relevant data to support the grant applications. This may include demographic information, statistical data, and evidence of community needs. Having a strong evidence base strengthens the case for funding.

Community Engagement

Engage the community in the grant application process. Solicit input, involve community members in the process, and demonstrate community support in grant proposals.

Capacity Building

Strengthen the capacity of Broadwater County's administration and relevant departments to manage grant-funded projects. This includes financial management, project monitoring, and reporting capabilities.

Seek Technical Assistance

If needed, consider seeking technical assistance from grant writing experts or consultants to improve the quality of grant applications.

Update Stakeholders

Keep stakeholders, including community members, informed about grant activities. Regular updates build trust and transparency, which can positively impact future funding opportunities.

Track & Evaluate Impact

Implement a system for tracking and evaluating the impact of funded projects. Demonstrating positive outcomes strengthens credibility for future grant applications.

Land Use Designations

The land use designations and growth policy for Broadwater County serve as guidelines for development type and intensity within the area. These guidelines are essential for ensuring that land use decisions are in alignment with the unique character and attributes of the county. By adhering to these principles, we can promote sustainable development practices that preserve the natural environment, protect community resources, and maintain the distinct identity of Broadwater County. It is imperative that all development efforts respect these guidelines and support the existing character of the land and community.

LAND USE DESIGNATION	GENERAL USE DESCRIPTION	INTENSITY/DENSITY
Open, Resource, and Recreation	Primarily publicly-owned lands (USFS, BLM, State Land Trust)	Limited administrative buildings
Working Lands	Agriculture, timber, and low density residential	One dwelling unit per 160-640 acres
Agriculture	Agriculture and low density residential	One dwelling unit per 40-160 acres
Rural Residential and Agriculture	Low density residential, agriculture, timber	One dwelling unit per 10-40 acres
Rural Residential and Small Agriculture	Low density residential, agriculture, timber	One dwelling unit per 2-10 acres
Residential	Single family residential *could include essential public services	One dwelling unit per less than 1-2 acres
Planned Neighborhood	Single family and multi-family residential, small-scale commercial with public sewer and water	Eight dwelling units per acre for residential, 1,000-45,000 square foot commercial buildings
Commercial/Town Center	Commercial, mixed-use, single-family, multi-family residential *could include essential public services	Eight dwelling units per acre for residential, 1,000-8,000 square foot commercial buildings
Civic Employment Center	Public purpose and essential public services such as educational institutions and health care facilities	Varies by purpose
Industrial/Economic Development Center	Industrial and compatible commercial uses, high activity areas	Varies by building size

Broadwater County Land Use Designation Map: <https://wgmgrouppmissoula.maps.arcgis.com/apps/instant/sidebar/index.html?appid=cd04f70d3ee14d9bb36d3e09d40f2d06>

Open, Resource, & Recreation

GOALS

- Conserve the ecological integrity and function of natural landscapes, waterways, fish and wildlife habitat, movement corridors, water quality, and water quantity
- Allow for and preserve permitted agriculture, grazing, timber production, and recreation access
- Protect public health and safety from identified hazards such as wildfires and floodways through restricted development

Character

This area is mostly made up of natural areas and undeveloped landscapes that are set aside for open land, wildlife habitat, agriculture and grazing, timber production and recreation.

Structures and impervious surfaces are limited.

Where development is permitted and appropriate, it should be placed in a way that avoids or supports sensitive areas such as floodplains, wetlands, riparian areas, native grasslands, wildlife movement corridors, agriculture land, soils, steep slopes, and natural landscapes and waterways.

Land Uses

Open, resource, and recreation land is primarily identified as publicly-owned lands (USFS, BLM, State Land Trust) but is also intended to restrict development from natural hazards such as wildfires and floodways.

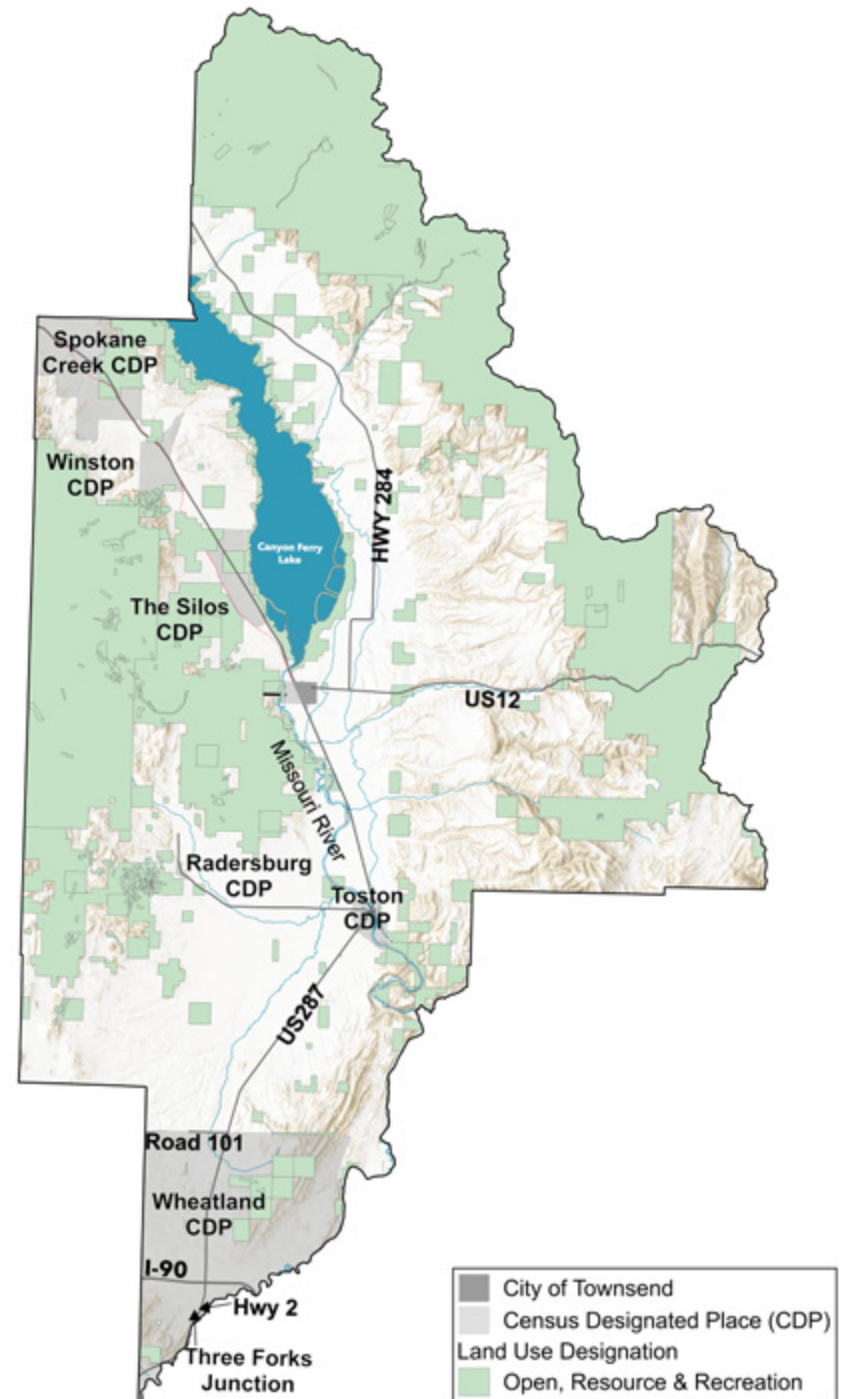
Land uses include wildlife habitat, open lands, outdoor recreation, agriculture lands, range lands, and timber production.

Density

Development is limited.

Mobility & Access

Arterials, highways, and local roads may be present through this designation. Local road and trail networks, when present, are typically managed by the agency managing the landscape.



Working Lands

GOALS

- Provides opportunities for generating income from natural resources and amenities while maintaining a rural lifestyle

Character

Working lands are rural areas that have few services and limited infrastructure. Residential areas are low density or clustered in places with fewer land use constraints. Most of the undeveloped land is range or timber land, used in agricultural production, or raw land in its natural state.

Land Uses

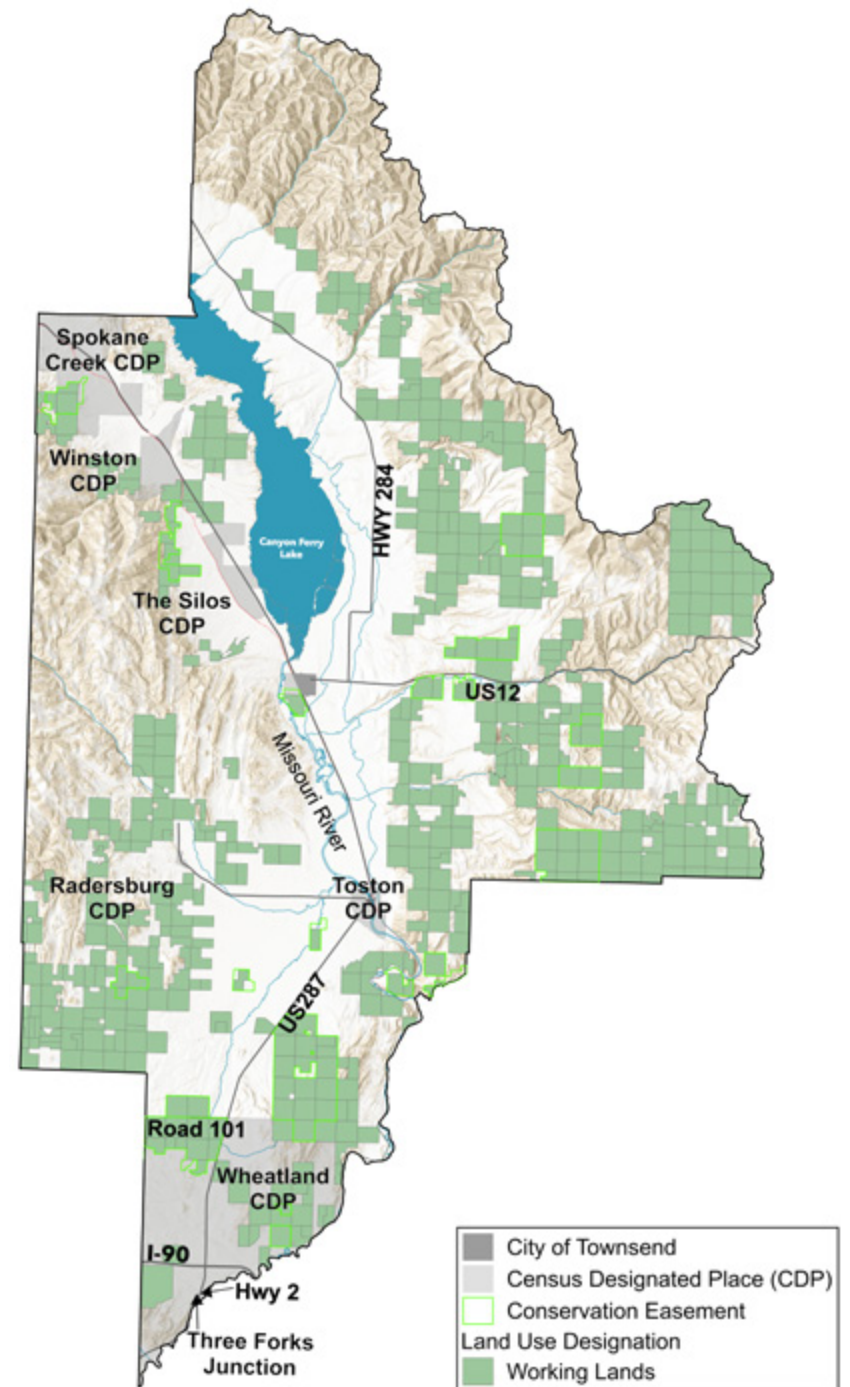
Land uses include residential, agricultural, grazing, timber production, mineral extraction, natural resource-based industries, and recreation.

Density

Residential density ranges between one dwelling unit per 640 acres to one dwelling unit per 160 acres. The appropriate density depends on site considerations, such as the transportation network, emergency services, presence of natural landscapes and waterways, fish and wildlife habitat and movement corridors, hazards, and applicable area plans.

Mobility & Access

Auto-centric travel is mostly dominant in these low-density areas. Roadways can vary for access, with arterials and highways or unpaved minimum maintenance roads connecting to these properties.



Agriculture

GOALS

- Support county economy and health by providing for the local and regional production of agricultural products
- Preserve large tract agricultural systems especially where prime soils and irrigation facilities are present
- Conserve the ecological integrity and function of natural landscapes, waterways, fish and wildlife habitat, movement corridors, water quality, and water quantity
- Protect public health and safety in areas with identified hazards such as wildfires and floodways

Character

Development is designed to provide a rural lifestyle that supports the production and distribution of agricultural products.

Land Uses

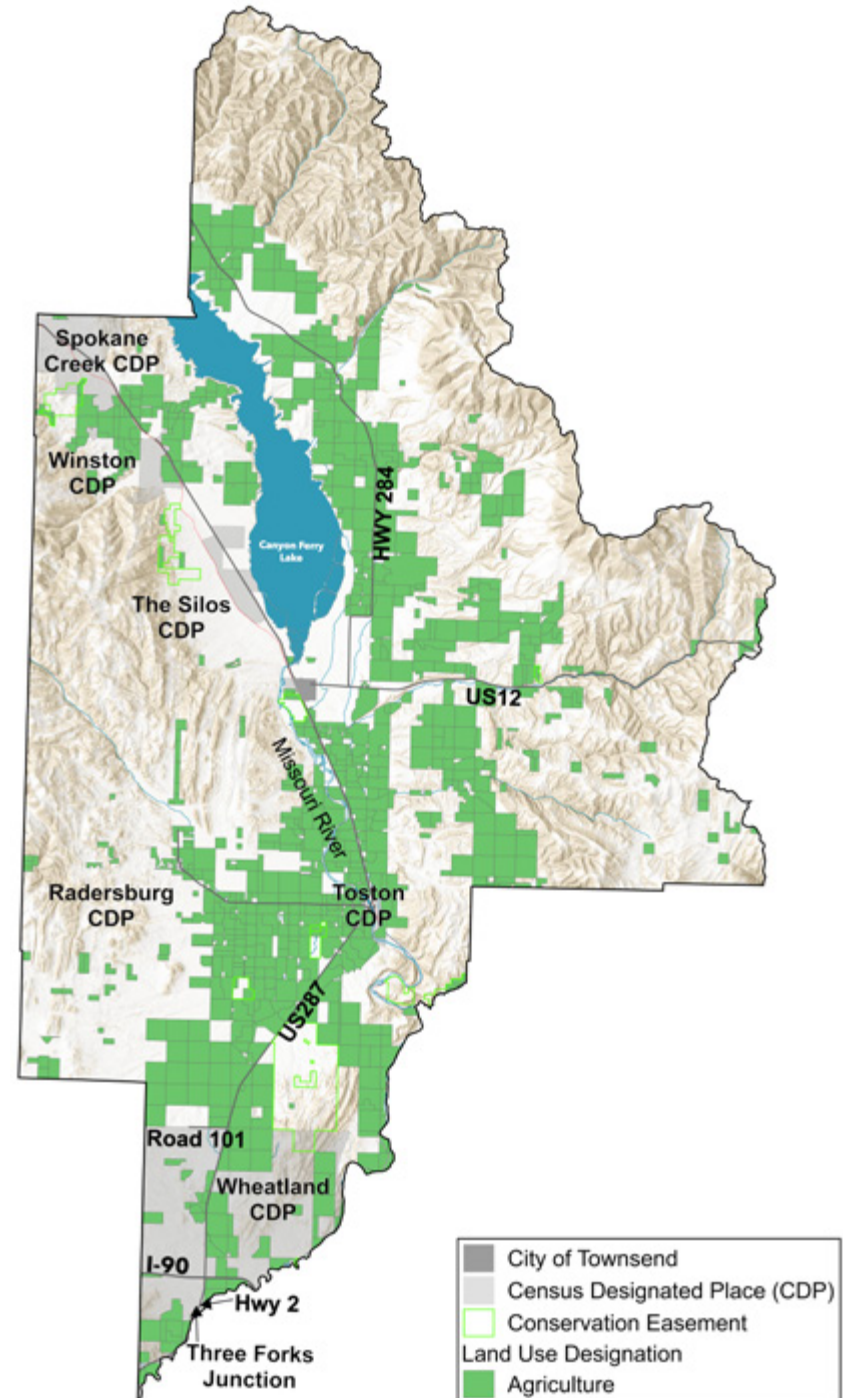
Land uses include a variety of agriculture activities, production, and natural resource conservation with low density development, which may include employee housing.

Density

Base residential density on one dwelling unit per 40-160 acres.

Mobility & Access

Lower densities are likely to produce auto-centric travel. Arterials and highways may provide direct access to properties within this designation. Local roads are in a grid pattern, usually following section lines or are irregular depending on topography. County and private roads may or may not be paved and/or regularly maintained.



Rural Residential & Agriculture

GOALS

- Support county economy and health by providing for the local and regional production of agricultural products
- Preserve agricultural systems especially where prime soils and irrigation facilities are present
- Conserve the ecological integrity and function of natural landscapes, waterways, fish and wildlife habitat, movement corridors, water quality, and water quantity
- Protect public health and safety in areas with identified hazards such as wildfires and floodways

Character

Development is designed to provide a rural lifestyle that supports the production and distribution of agricultural products.

Development will also be in support of preserving natural landscapes and waterways.

Land Uses

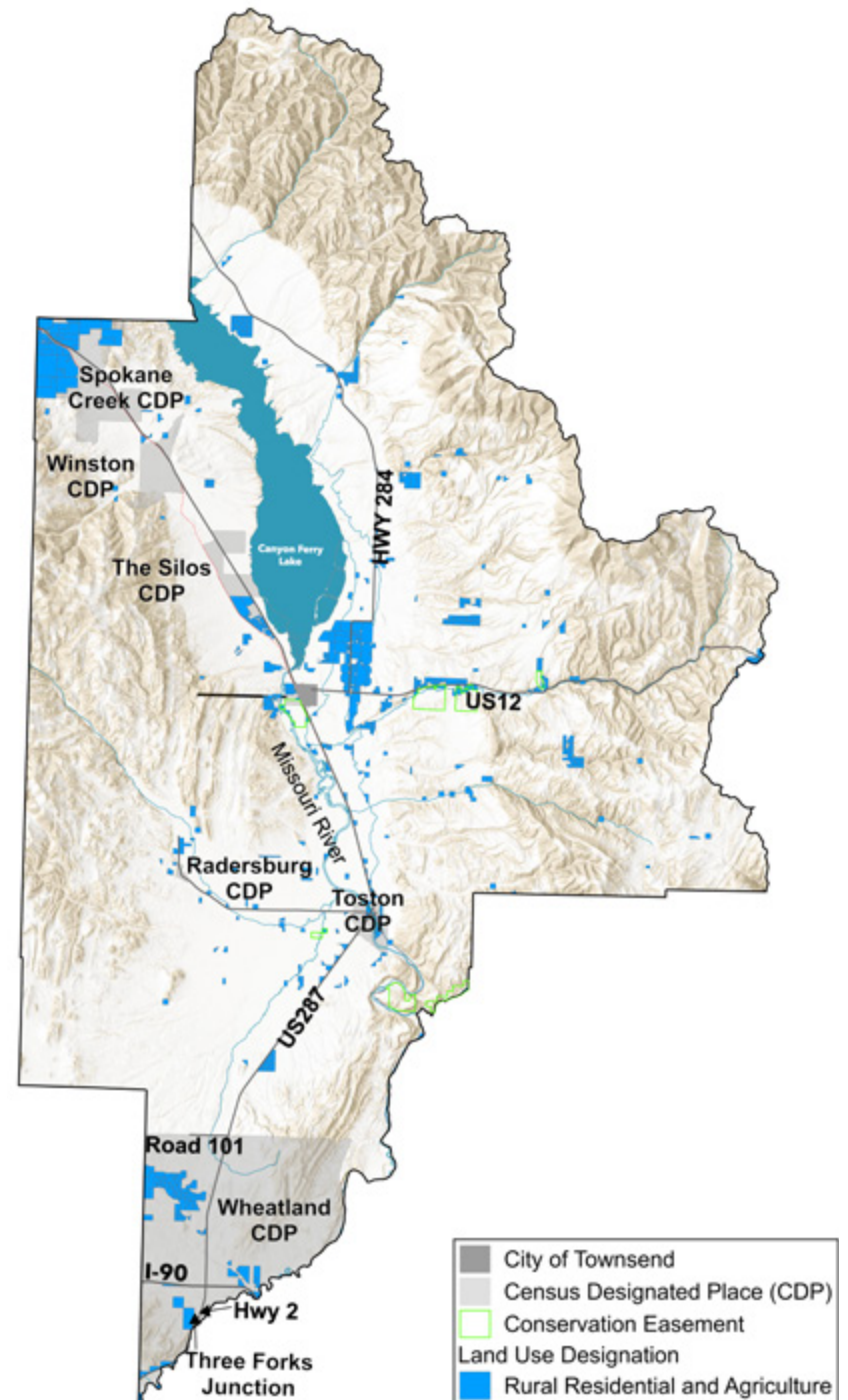
Land uses include a variety of agriculture activities and natural resource conservation with low density development.

Density

Base residential density on one dwelling unit per 10 acres to one dwelling unit per 40 acres.

Mobility & Access

Lower densities are likely to produce auto-centric travel. Arterials and highways may provide direct access to properties within this designation. Local roads are in a grid pattern, usually following section lines or are irregular depending on topography. County and private roads may or may not be paved.



Rural Residential & Small Agriculture

GOALS

- Support county economy and health by providing for the local and regional production of agricultural products
- Preserve rural and semi-rural characteristics such as small-scale agricultural and larger lots
- Conserve the ecological integrity and function of natural landscapes, waterways, fish and wildlife habitat, movement corridors, water quality, and water quantity

Character

Development is designed to provide a rural lifestyle that supports the production and distribution of agricultural products.

This land use designation is characterized by a uniform pattern having one principal residential building per lot. Agricultural uses and buildings can be the primary use of the property, or secondary to a principal residential building.

Residential buildings are predominately single-family dwellings. Residential buildings are sited in relation to well isolation zones, septic systems, and drain fields.

Development is designed to protect important resources such as agricultural lands, sensitive natural landscapes and waterways, fish and wildlife habitat and movement corridors, and avoid hazards such as floodplains and wildfire. Conservation design sets aside a major portion of a site for preservation, clustering development on the remaining portion.

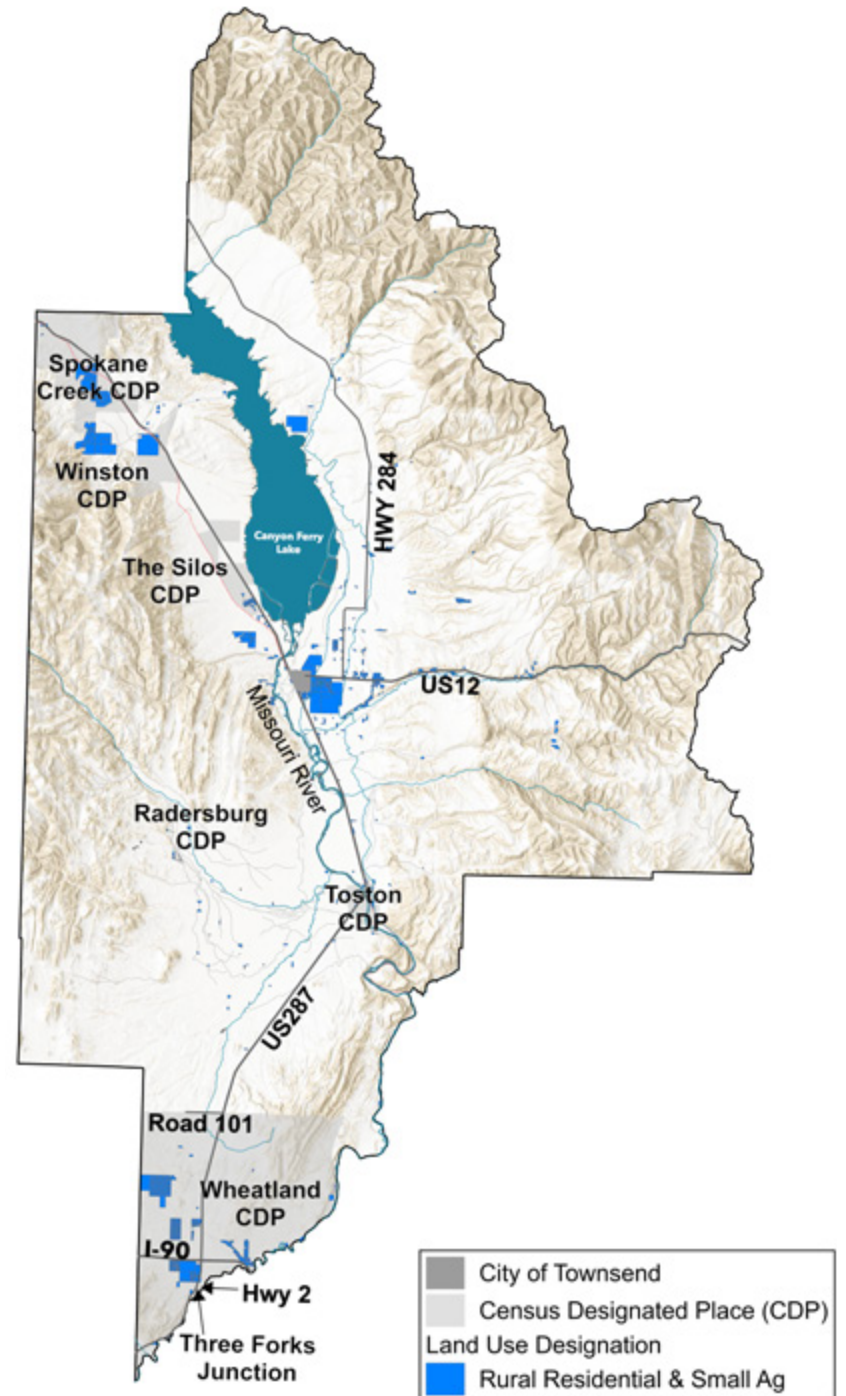
Buildings are sited with a minimum distance from streets and lot lines.

Land Uses

Land uses include a variety of agriculture activities and natural resource conservation with low density development.

Density

Base residential density on one dwelling unit per two acres to one dwelling unit per 10 acres.



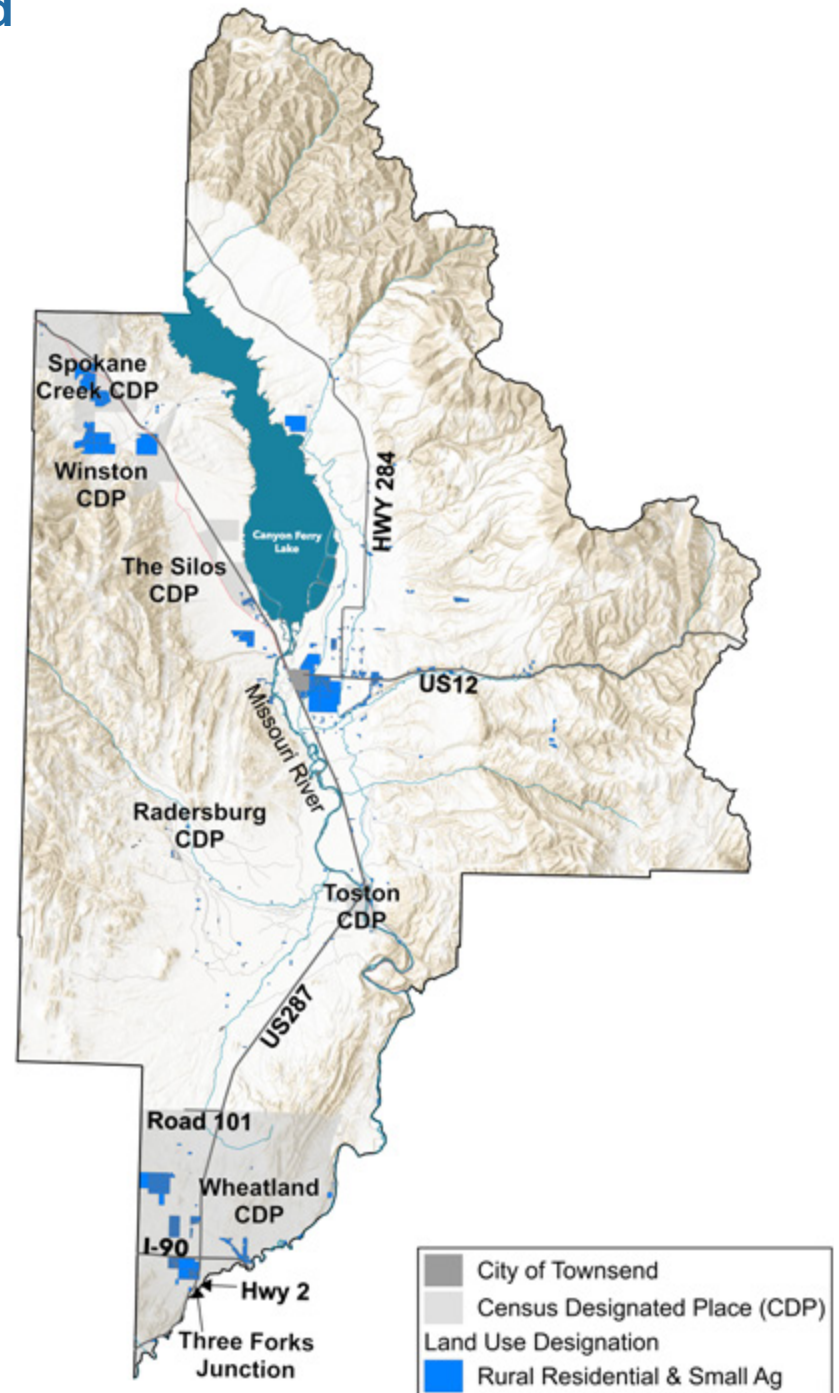
Rural Residential & Small Agriculture Continued

Mobility & Access

Lower densities are likely to produce auto-centric travel.

Arterial, collector, and local roads are in a traditional grid pattern or irregular pattern, depending on topography. Most local roads are paved and/or regularly maintained.

Non-motorized facilities, typically located along arterial and collector roads, provide connectivity to schools, parks, recreation facilities, and other parts of the community.



Residential

GOALS

- Provide low-density housing
- Preserve rural and semi-rural characteristics, such as large lots, natural landscapes, and waterways

Character

This designation is characterized by a uniform pattern having one principal residential building per lot.

Buildings are predominately single-family dwellings. Multi-family dwellings may be appropriate when applied through clustering to protect a resource or provide a public benefit, or through density bonuses to create permanently affordable housing.

Buildings are sited with a minimum distance from streets and lot lines.

Land Uses

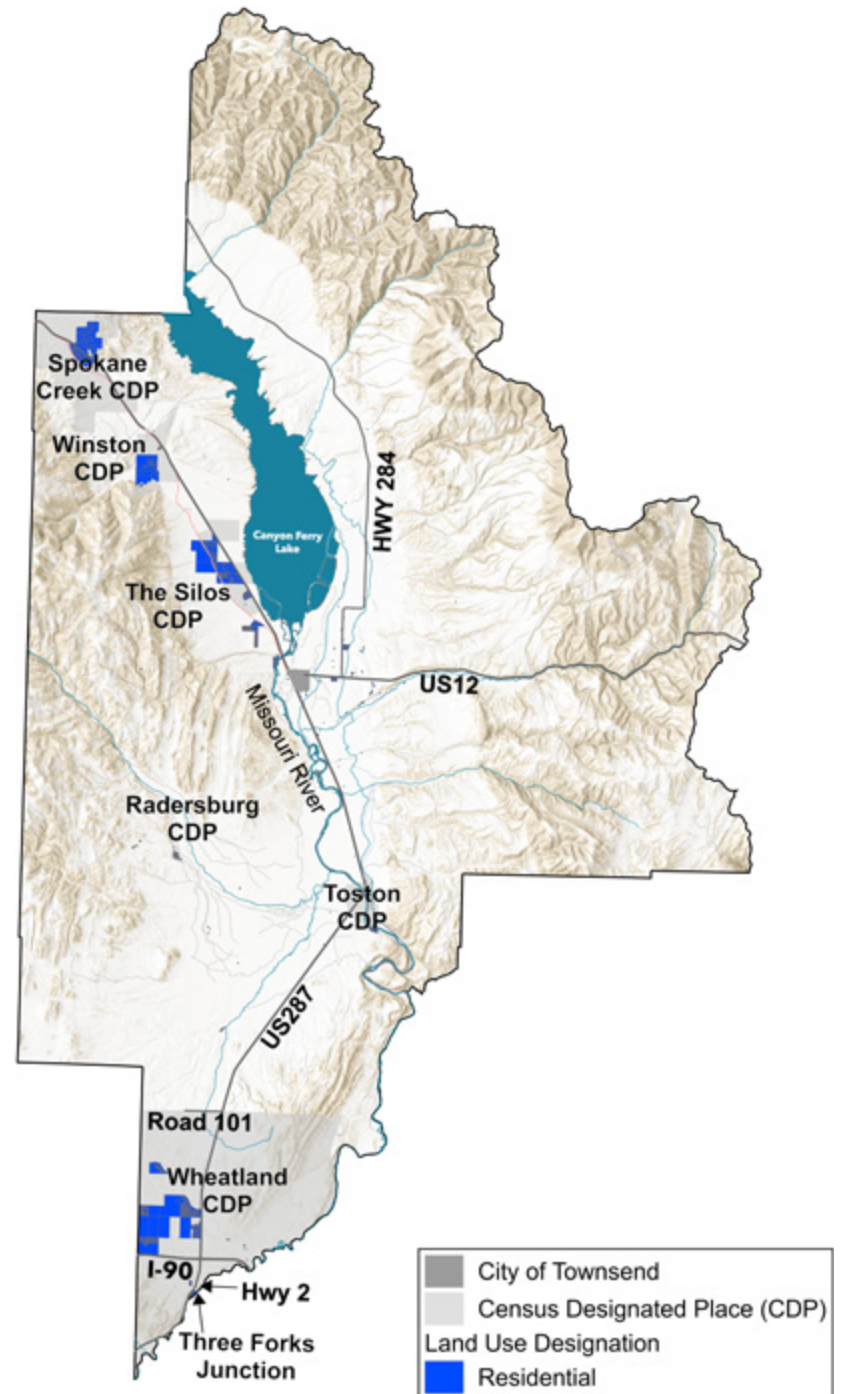
Land uses include residential, small agriculture, grazing, and natural areas.

Secondary uses may include small-scale commercial and essential public services such as educational institutions and health care facilities where appropriate.

Density

Residential density ranges between one dwelling unit per half acre to one dwelling unit per two acres which may require connections to public sewer and water.

Density bonuses may be available if development is clustered according to conservation design principals to protect important natural landscapes and waterways, agricultural lands, fish and wildlife habitat and movement corridors, or if public facilities such as public access or trails are provided.



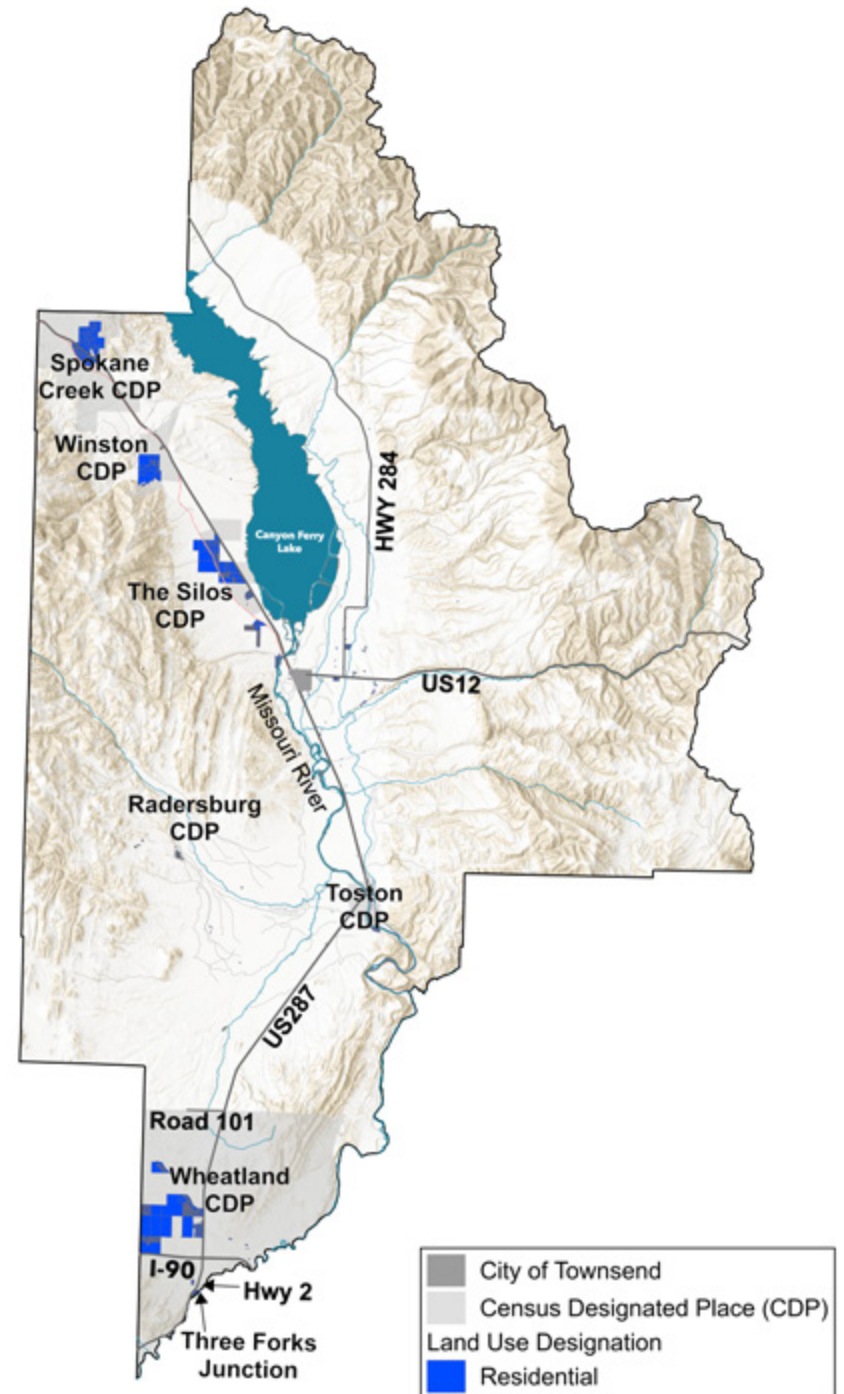
Residential Continued

Mobility & Access

Lower densities are likely to produce auto-centric travel.

Arterial, collector, and local roads are in a traditional grid pattern or irregular pattern, depending on topography. Most local roads are paved and/or regularly maintained.

Non-motorized facilities, typically located along arterial and collector roads, provide connectivity to schools, parks, recreation facilities, and other parts of the community.



Planned Neighborhood

GOALS

- Preserving development potential that accommodates a substantial portion of future growth until infrastructure is in place or planned for
- This designation will accommodate a range of residential options which will contribute to countywide housing diversity

Character

A mix of building types providing a range of housing options to accommodate household sizes and preferences.

Single family, two-family and multi-family dwellings are the primary building types. Buildings are predominately single-family dwellings. Multi-family dwellings may be appropriate when applied through clustering to protect a resource or provide a public benefit, or through density bonuses to create permanently affordable housing.

Parking and utilities for multi-family and commercial buildings should be oriented toward the rear of buildings away from the street and front façade.

Commercial buildings should be placed along arterial or collector roads providing clusters of limited commercial activity with a compatible intensity level, scale, and form to the adjacent neighborhood.

Buildings are sited with a minimum distance from streets and lot lines.

Land Uses

Predominately residential with secondary uses including small scale commercial in limited locations.



Planned Neighborhood Continued

Density

Residential density should be eight dwelling units or more per acre requiring connections to public sewer and water. Commercial buildings should be between 1,000square feet to 45,000 square feet

Density bonuses may be available if development is clustered according to conservation design principals to protect important natural landscapes and waterways, agricultural lands, fish and wildlife habitat and movement corridors, or if public facilities such as public access or trails are provided.

Mobility & Access

A mix of land uses and access to nearby destinations and amenities encourage walking, biking, and transit use.

All roads should provide non-motorized facilities. Non-motorized facilities, typically located along arterial and collector roads, provide connectivity to schools, parks, recreation facilities, and other parts of the community. Additional separation for non-motorized facilities, such as protected or buffered bike lanes, boulevard sidewalks, and enhanced crossings, are needed when vehicle speeds and traffic volume increase.

Arterial and collector roads are in a traditional grid pattern, or irregular pattern depending on topography, with short block lengths.



Commercial/Town Center

GOALS

- Designed to be a town focal point and center of activity, providing opportunities for retail, dining, service, and employment

Character

Mix of uses can be both horizontally and vertically integrated, having shared walls, ceilings, and floors. Building design is sensitive to its relationship to adjacent uses. Commercial/Town Centers are typically located on arterial or collector roads.

Parking and utilities for multi-family and commercial buildings should be oriented toward the rear of buildings away from the street and front façade.

Over time these areas are expected to redevelop and experience infill, transitioning to a more vertically mixed-use place. Buildings are sited with a minimum distance from streets and lot lines.

Land Uses

Land uses primarily consist of retail, lodging, offices, food service, and institutional uses.

Secondary uses may include residential and essential public services such as educational institutions and health care facilities where appropriate.

Intensity

Commercial and mixed-use buildings generally range from small (1,000 square feet) to large (80,000 square feet or more).

Residential density is eight units per acre or greater, requiring connections to public sewer and water. Commercial development intensity would be between 1,000-8,000 square foot commercial buildings

The ability to achieve higher densities may be limited by site considerations, such as lot size, setbacks, floodplain, and slope.



Commercial/Town Center Continued

Mobility & Access

Typically located along arterial roads and near interstate interchanges.

A mix of land uses and access to nearby destinations should be accommodated, including pedestrian, bike, and transit facilities. Additional separation for non-motorized facilities, such as protected or buffered bike lanes, boulevard sidewalks, and enhanced crossings, are needed when vehicle speeds and traffic volume increase.

Arterial and collector roads are in a traditional grid pattern, or irregular pattern depending on topography. The local street network disperses traffic through a well-connected-grid system, or an irregular system depending on topography, with short block lengths.



Civic Employment Center

GOALS

- Provide for facilities that offer a public service or satisfy a public need

Character

These areas are typically master planned with a clear design and purpose for the primary user.

Depending on the purpose of the primary user, setbacks or buffers from adjacent land uses should be required.

Land Uses

Land use is primarily civic/institutional uses, which may be comprised of offices, flex space, light manufacturing, or distribution. Examples include educational institutions or health care facilities that require a significant amount of space for various activities. Depending on the purpose, residential uses, such as assisted living facilities, may be appropriate. Other residential uses in this designation may include attainable housing to provide for working class residents. Residents making around the Area Median Income (AMI) would not pay over 30 percent of their income on housing and would be considered attainable.

Intensity

Buildings support the need for distinct types of activities dependent upon the purpose of the primary user.

Building types and sizes will vary depending on the purpose of the primary use.



Civic Employment Center Continued

Mobility & Access

Civic Employment Centers are typically located along arterial roads with connectivity to other areas in the community by transit and non-motorized facilities.

Roads to and from this area should provide non-motorized facilities alongside or separated from the road. Additional separation for non-motorized facilities, such as protected or buffered bike lanes, boulevard sidewalks, and enhanced crossings, are needed when vehicle speeds and traffic volume increase.

Roads within this area may provide non-motorized facilities depending upon the purpose of the primary user and the land use being accessed.



Industrial/Economic Development Center

GOALS

- Contributes to the county's economic base by providing places where people work, create, build, manufacture, process, store, and distribute goods and services
- Accommodates uses that may have impacts such as noise, odors, clutter, or hazardous materials that require separation from other land uses

Character

Buildings are typically single use but may host a mix of uses that integrate horizontally rather than vertically, having shared walls rather than shared ceilings or floors.

Buildings are sited with a minimum distance from streets and lot lines. Development is sited away from streams, riparian corridors, and wetlands to protect sensitive natural features and waterways and fish and wildlife habitat and movement corridors.

Land Uses

Land use is a mix of office, research, studios, manufacturing, warehousing, and distribution.

Intensity

Building size varies depending on context and need and could range from small (1,000 square feet) to very large (over 150,000 square feet).

Mobility & Access

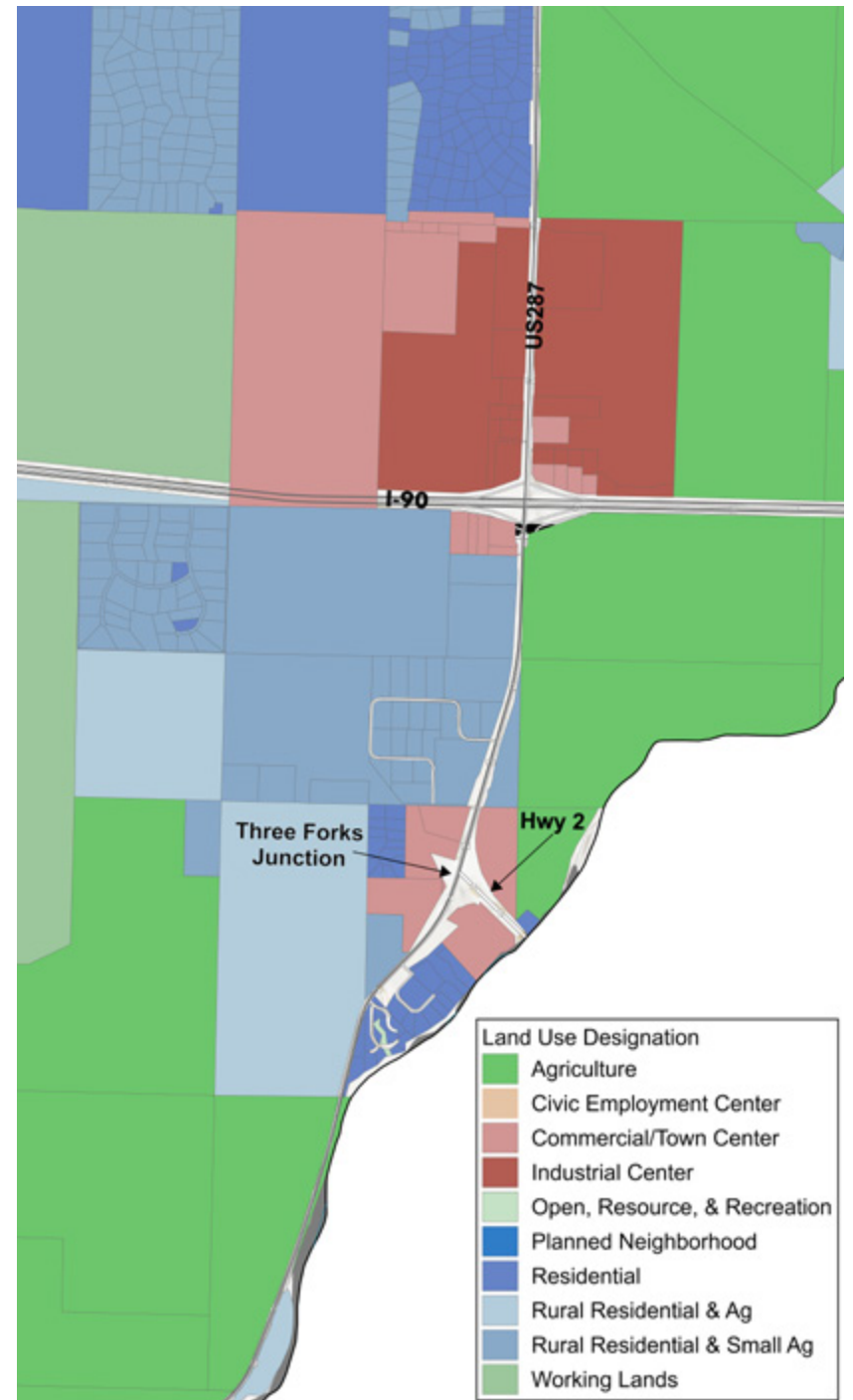
Industrial Centers are typically located along arterial roads, near or adjacent to rail, with connectivity to other areas in the community by transit and non-motorized facilities.

All roads should provide non-motorized facilities. Additional separation for non-motorized facilities, such as protected or buffered bike lanes, boulevard sidewalks, and enhanced crossings, are needed when vehicle speeds and traffic volume increase.



Wheatland & Three Forks Junction Area

Located at the southern tip of Broadwater County, Wheatland and the Three Forks Junction function as key points for individuals passing through the county. These areas are strategically positioned to support commercial and industrial activities, attracting travelers to and from the county. Anticipated developments include commercial and industrial centers, with the possibility of residential growth contingent upon the exploration of options for a sewer and water district.



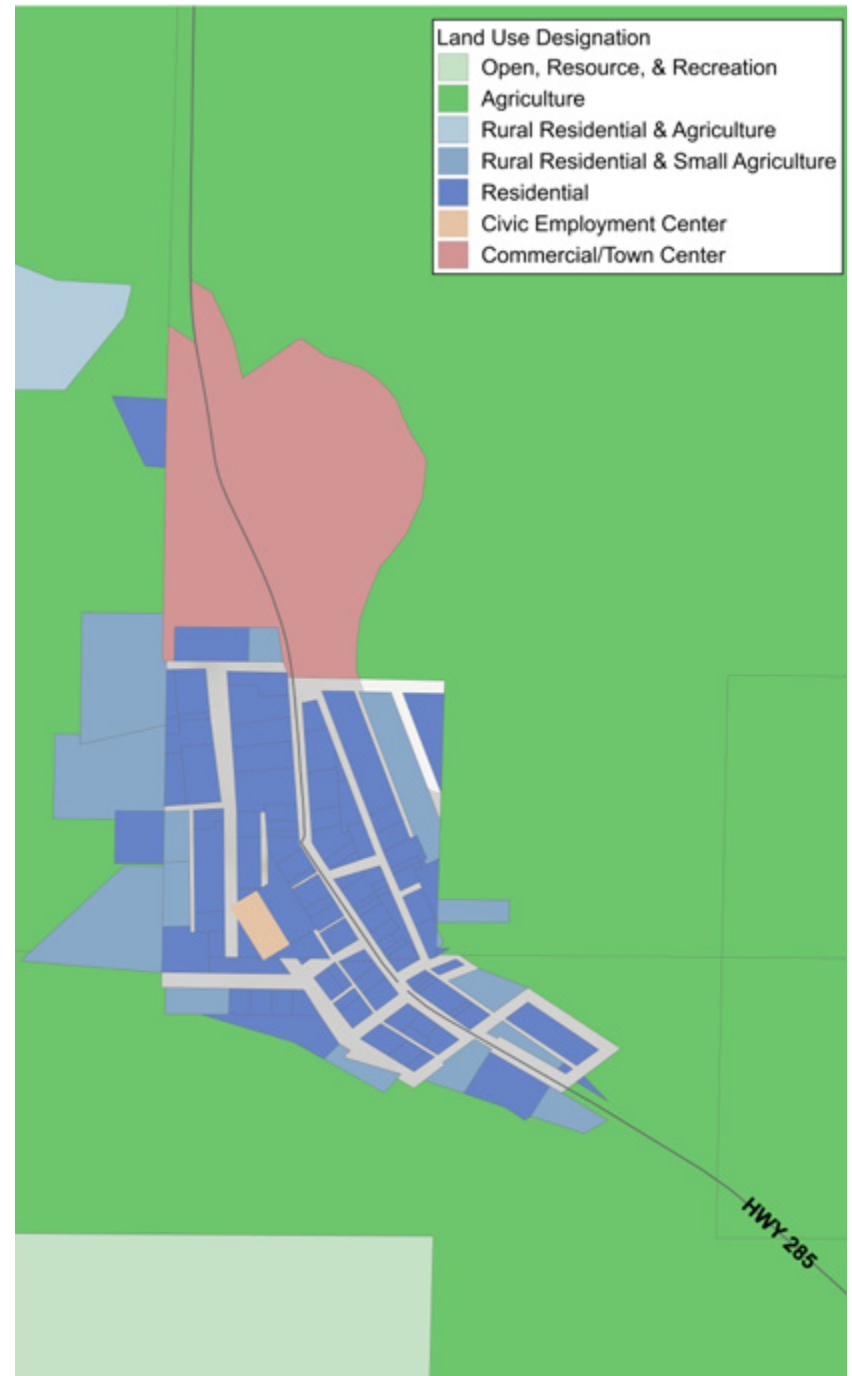
Toston Area

Toston, situated between Townsend and Wheatland, has an established residential block grid network. There is potential for additional commercial uses or civic employment centers to benefit this area. Low-density residential development may extend beyond the Missouri River Floodplain, while agricultural lands are expected to remain largely unaffected. This indicates a measured approach to development, considering the balance between residential, commercial, and agricultural considerations.



Radersberg Area

Radersberg, formerly the County Seat of Jefferson County until the establishment of Broadwater County in 1897, is predominantly rural. The commercial land use designation situated to the north of Radersberg presents an opportunity for the provision of services beneficial to the community and residents in neighboring areas, including ranch and agriculture product processing, as well as gas and diesel services.

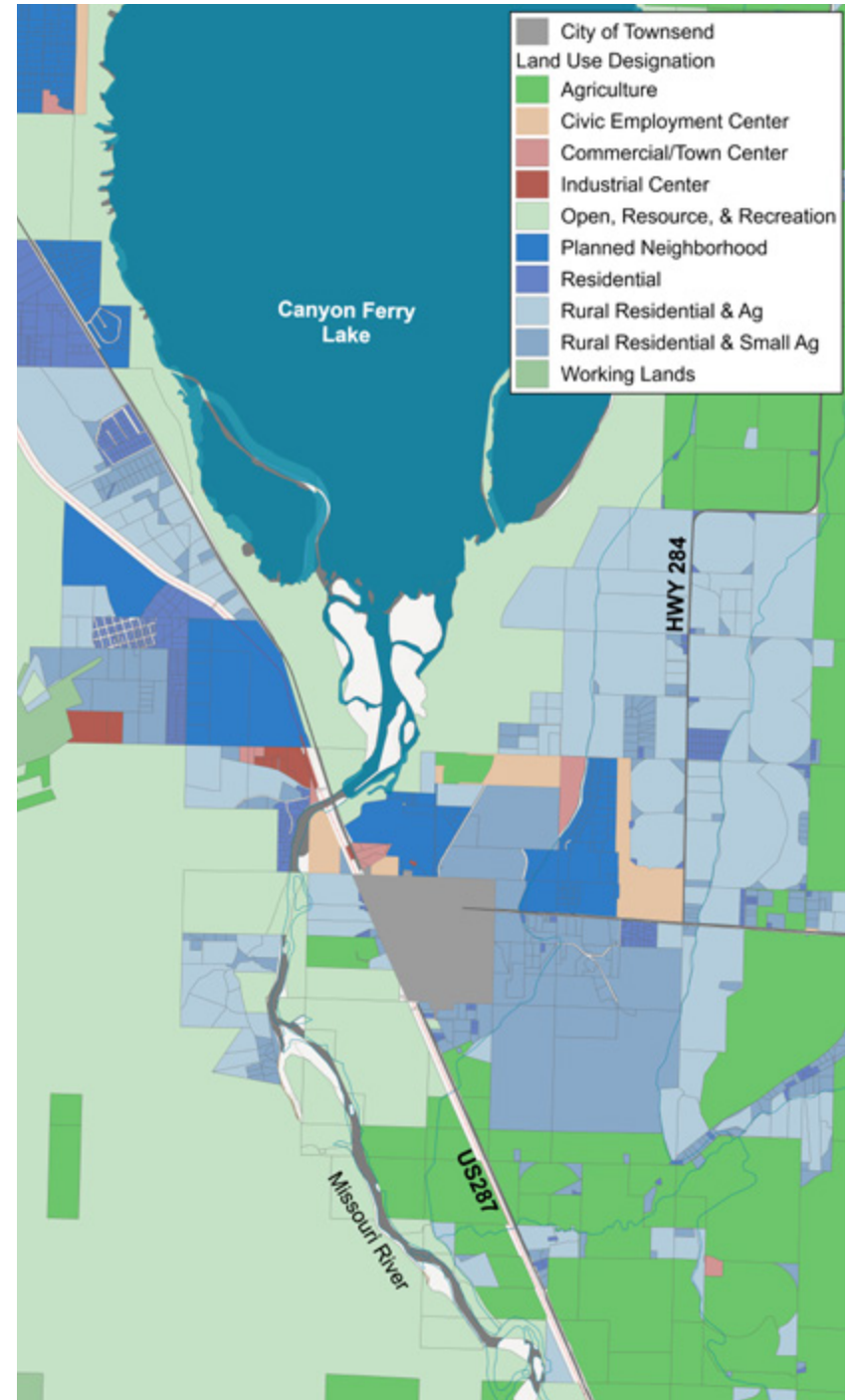


Townsend Area

The land adjacent to the incorporated area of Townsend is versatile, allowing for a variety of uses. Positioned in close proximity to the heart of Broadwater County, its adaptability supports different activities and purposes, contributing to the overall flexibility of the region.

Industrial and commercial development play a vital role in fostering a functional community and economy. It's essential to note that industrial land use designations encompass a variety of activities beyond heavy industry.

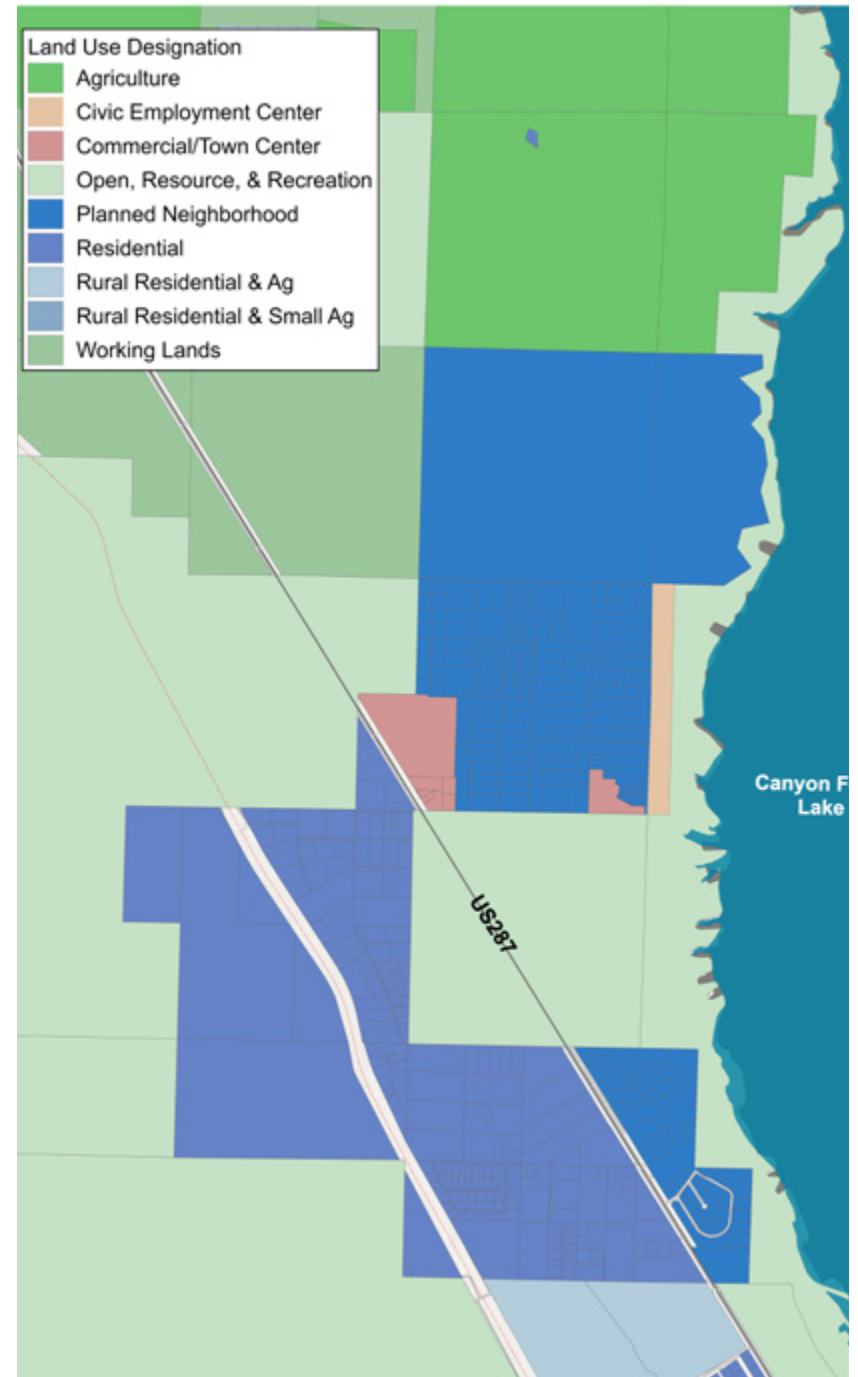
Light industry, including food processing, textiles, and consumer goods manufacturing can directly benefit the community and contribute to economic growth. This approach supports a more diverse and resilient local economy, aligning with sustainability objectives and minimizing environmental impact.



Silos Area

Consideration for potential dense development around Canyon Ferry Lake is essential to uphold its natural surroundings and find a balanced approach between growth and conservation. If residential development at higher densities is under consideration, it's advised to plan for potential future subdivisions.

Developing at the Planned Neighborhood density should only be considered with the implementation of a public and sewer water system to minimize the use of septic systems and ultimately protect and preserve water quality.



Winston Area

Winston, situated between larger, more established communities like Helena and Townsend, serves as a strategic location for local residents who often depend on neighboring areas for various services and opportunities. By designating civic and commercial land use in the Winston CDP, the county can utilize these areas to address specific needs within the community.

Civic land use designations can be used for essential public services like recycling facilities and emergency services, ensuring Winston residents have convenient access without the need to travel to neighboring towns and offers a mid-point for residents of Broadwater County to utilize these services. Moreover, establishing commercial land use designations provides the potential for creating employment opportunities and supporting economic development tailored to the unique needs of the Winston community.



Broadwater School and Community Library INTERLOCAL AGREEMENT

TOWNSEND, MT 59644

AUGUST-1993

REVISED 1999, 2005, 2009, 2015, 2024

PAGE 1

INTERLOCAL AGREEMENT BETWEEN TOWNSEND SCHOOL, K-12 DISTRICT #1, AND THE COUNTY OF BROADWATER TO COOPERATE IN THE PROVISION OF LIBRARY SERVICES TO THE RESIDENTS OF BROADWATER COUNTY.

WHEREAS, the County of Broadwater and the School District are both authorized by law to provide libraries; and

WHEREAS, Sections 7-11-101 through 108, MCA authorize local governments to enter into interlocal agreements to jointly provide services that each are authorized to provide; and

WHEREAS, the purpose of this Agreement is to provide a basis for cooperation between the School District and County which will result in equitable library service to all residents of the County; and

WHEREAS, the County and the School District are desirous of entering into an agreement whereby library services can be provided from a central facility located within Townsend and operated through the joint efforts and authority of both parties;

NOW THEREFORE, in consideration of the execution of this Agreement and the mutual covenants hereinafter expressed, the parties join in establishing and maintaining a joint school-public library mutually agreed to as follows:

I. AGREEMENT

As hereinafter provided, the County Commissioners of Broadwater County (Commissioners) and the Townsend School Board, representing the School District and Superintendent of Townsend Schools, (School Board) agree to support the functions of the joint school-public library within Broadwater County and agree to provide the services of the school-public library to all residents of Broadwater County.

II. NAME

The joint school-public library shall be known as the Broadwater School and Community Library (Library).

III. BOARD OF TRUSTEES

A. Board Composition.

The Broadwater School and Community Library Board of Trustees (BSCL Board) shall be composed of five (5) voting members appointed as follows according to MCA § 22-1-308(4).

1. Two (2) members shall be appointed by the School Board.
2. Three (3) members shall be appointed by the Commissioners.
3. The Superintendent of Townsend Schools shall serve as a non-voting member of the BSCL Board.
4. One member of the Commissioners shall serve as an "ex-officio" member to the BSCL Board.

B. Terms.

1. MCA § 22-1-308 states Trustees shall hold their office for five (5) years from the date of appointment and until their successors are appointed. Initially, appointments must be made for 1-, 2-, 3-, 4-, and 5-year terms. Annually thereafter, there must be appointed before July 1 of each year, in the same manner as the original appointments for a five (5) year term, a trustee to take the place of the retiring trustee. Trustees may not serve more than two (2) full terms in succession.
2. All vacancies, whether by resignation, expiration of term, or otherwise, shall be filled by appointment by the school district or Commissioners, depending on which agency appointed the trustee whose position becomes vacant.
3. If there is a vacancy in the two (2) members appointed by the Townsend School Board, the BSCL Board will notify the Townsend School Board of the vacancy. They will allow the Townsend School Board 6 (six) months, or until July 1 to fill those vacancies before filling the vacancy on their own.
4. If there is a vacancy in the three (3) members appointed by the Broadwater Board of County Commissioners, the BSCL Board will notify the County Commissioners of the vacancy. They will allow the County Commissioners 6 (six) months, or until July 1 to fill those vacancies before filling the vacancy on their own.

C. Powers, Duties, and Responsibilities of the BSCL Board.

1. The BSCL Board shall adopt bylaws and rules consistent with State law for its own transaction of business and for the governance of the Library, including the days, time, and number of regular meetings of the BSCL Board. The BSCL Board shall select a chairperson, vice-chairperson, and secretary to serve one-year terms which may be consecutive and unlimited in number.
2. The BSCL Board shall be responsible for developing policy regarding the general operations and care of the Library. Such policies shall incorporate standard protections such as the "Library Bill of Rights" and the "Freedom to Read Statement" among others to ensure maximum opportunity to provide the full range of quality library services to all the students and citizens of Broadwater County. The BSCL Board shall further be responsible for reviewing and updating the disaster and other plans every four to five years.
3. The BSCL Board shall have the power to contract, receive or deliver library services and to pursue and accept gifts, grants, donations, devices and bequests not subject to reversion at the end of the fiscal year.

4. The BSCL Board shall be directly responsible for the selection of the public librarians.

5. The BSCL Board shall be the primary governing body for the resolution of complaints or grievances arising from the operation of the school-public library. However, should it become necessary, the complaint or grievance can be taken to the School Board or the County Commissioners

IV. COUNTY COMMISSIONERS OF BROADWATER COUNTY DUTIES

The Commissioners shall:

A. Provide the approved level of funding for the general operation of the Library as well as for a materials and technology budget to meet the non-school needs of the population;

B. Levy the maximum number of mills allowed by law, unless otherwise limited by other statutes, for support of the Library. Funds raised by those mills will be transferred to the School District's general fund to be expended by the School District for the operation of the Library;

C. The County will maintain the library depreciation reserve fund established in accordance with MCA § 22-1-716, MCA § 22-1-305 for the acquisition and replacement of property, equipment and improvements necessary to maintain and improve library services;

D. The BSCL Board may request PILT funding annually from the Commissioners and the Commissioners will consider the request and may grant funding at their discretion; and

E. The County will make equal monthly payments to the School District for the amount budgeted by the BSCL Board.

V. THE SCHOOL BOARD DUTIES

The School Board shall continue to be responsible for the selection of the school librarians and library aides.

VI. THE SCHOOL DISTRICT DUTIES

The School District shall:

A. Provide all utilities, janitorial, and maintenance care year-round;

B. Provide funds for general operation of the library as well as a materials and technology budget for meeting the needs of the school population;

C. Manage the personnel, financial, purchasing, insurance-related, and day-to-day operations of the Library consistent with this Agreement;

D. Provide all accounting and payroll services;

E. Provide necessary property, liability, and workmen's compensation coverage; and

F. Notify the BSCL Board and School Board of revisions to policies affecting the Library, which will be jointly reviewed and approved by the BSCL Board and the School Board during an annual or bi-annual meeting.

VII. JOINT DUTIES

A. Chief Librarian. The BSCL Board and the School Board shall jointly select a Chief Librarian from one of the full-time school librarians.

1. The Chief Librarian will be expected to attend all BSCL Board and School Board meetings that have library agenda items and to provide such reports that the BSCL Board and School Board may so request.

2. Public and School Librarians are encouraged to attend all BSCL Board and School Board meetings, and their attendance may be mandatory for certain issues at the direction of the Boards, Superintendent, or Chief Librarian. Mandatory attendance for public librarians will be considered paid time for the hours of the meeting.

3. The BSCL Board and Superintendent will provide ongoing feedback on performance, and will provide an annual performance evaluation in conjunction with the school administration.

4. The Chief Librarian will provide library related work plans, work directions, performance evaluations, and feedback for all public librarians and public aides that are consistent with the overall work of the Library.

5. Each year, the Chief Librarian and the Superintendent, with input and assistance from the school district clerk, shall prepare an annual budget detailing county and school district funding levels. The BSCL Board and School Board shall hear the presentation on the Library budget. The BSCL Board and School Board will review the budget; and make any necessary modifications. The proposed budget shall then to be submitted for approval at the regularly scheduled spring/early summer BSCL Board and School Board Meetings for approval. The approved budget will then be sent to the County Commissioners.

B. Library Operations. The BSCL Board and School Board shall jointly adopt policies to govern Library operations. This will be done with particular attention to key policies affecting materials selection and weeding criteria, challenges to collection and censorship.

1. All policies relating to the Library will be compiled in written form; approved by the School Board and BSCL Board; and reviewed every three (3) years by all the governing bodies.

2. Policy updates or revisions relating to the BSCL Board will be presented to the School Board in the monthly meeting of the Townsend School Board.

VIII. LIBRARY ACCESS AND HOURS

A. Library patrons of all ages shall be granted unlimited access to the facility for a number of hours per week equal to, or greater than, the present thirty-one (31) hours being provided at the county library. The public will be allowed access to the Library at the following times:

- Monday: 4 p.m. to 7 p.m.

- Tuesday: 4 p.m. to 7 p.m.
- Wednesday: 4 p.m. to 7 p.m.
- Thursday: 4 p.m. to 7 p.m.
- Friday: 9 a.m. to 4 p.m.
- Saturday: 9 a.m. to 4 p.m.
- Sunday: 12 p.m. to 5 p.m.

Every effort will be made to provide additional hours of public access as soon as it is feasible. Hours may be added in the summer time at the discretion of the BSCL Board and the Chief Librarian.

B. To the greatest extent possible, all services and materials will be equally available to all Library users.

IX. EFFECTIVE DATE, DURATION, AND TERMINATION

A. The adoption of this Agreement by all parties, the County Commissioners of Broadwater County and the Townsend School Board/School District/Superintendent of Townsend Schools, is contingent upon its review and approval by the attorney for the County of Broadwater.

B. Within ten (10) days of adoption by all parties, and prior to implementing it, the Agreement shall be filed with the Broadwater County Clerk and Recorder and Secretary of the State.

C. The Agreement shall be in full force and effect within thirty (30) days of the approval by all parties and shall remain in effect until termination by either party pursuant to the termination provisions set forth below.

D. Either party may terminate this Agreement with six (6) months written notice to the other party. The termination shall become effective at the beginning of the next fiscal year. Such termination does not absolve the parties from satisfying any federal equity requirements assigned to this joint library project. According to MCA § 7-11-105 both parties agree to the following as the basis for termination should such become necessary:

1. Upon termination, the Library building and anything attached or built into the Library will become the sole property of the Townsend School District. Interest in real and personal property, including permanent improvements, shall be divided by mutually agreeable means, and a settlement shall be reached which is agreeable to both parties. Such a settlement shall account for issues such as federal equity in the building.

2. Regarding the furnishings and stockings of the Library, including but not limited to the books, furnishings, and technology, the contribution of each board is equal to the percentage each contributed to the purchase, including all sources of funding.

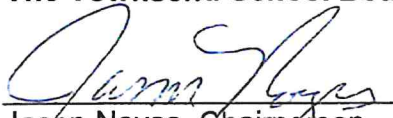
3. An ongoing accounting through budgets and requisitions will determine further divisions of assets.

E. This Agreement shall be renewed every five (5) years by all parties involved.

X. APPROVAL AND ADOPTION OF AGREEMENT

This Agreement was approved and adopted by all parties on the _____ day of _____, 2024, effective upon adoption.

The Townsend School Board:



Jason Noyes, Chairperson

2/13/24

Date



Chase Ragen, Vice-Chairperson

13 Feb 24

Date



Daniel Truesdell, Member

2-13-24


Date



Jason Kool, Member

2-13-24

Date



Vanessa Flynn, Member

2/13/24

Date

The County Commissioners of Broadwater County:

Darrel Folkvord, Chair

Date

Debi Randolph, Vice-Chair

Date

Lindsey Richtmyer, Member

Date

Attest:

Angie Paulsen
Broadwater County Clerk and Recorder

Date

TASK ORDER NUMBER 24-07-1-01-117-0

**TO THE MASTER CONTRACT NUMBER HHS-PHSD-00000524
EFFECTIVE JULY 1, 2019 TO JUNE 30, 2026
BETWEEN THE STATE OF MONTANA,
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES
AND BROADWATER COUNTY**

COMMUNITY HEALTH ASSESSMENT

SECTION 1. PARTIES

This Task Order is entered into between the Montana Department of Public Health and Human Services, ("Department"), P.O. Box 4210, Helena, Montana, 59620, Phone Number (406) 444-5623, Fax Number (406) 444-1970, and Broadwater County ("Contractor"), Federal ID Number 81-6001337, UEI ENMTASEFELN8 and 124 North Cedar Street., Townsend, MT 59644.

THE DEPARTMENT AND CONTRACTOR AGREE AS FOLLOWS:

SECTION 2. PURPOSE

The purpose of this Task Order is to fund a Community Health Assessment for Broadwater County.

SECTION 3. TERM OF TASK ORDER

- A. The term of this Task Order for the purpose of delivery of services is from April 1, 2024 through March 31, 2025.
- B. Each Party, after expiration or termination of this Task Order, remain subject to and obligated to comply with all legal and continuing contractual obligations arising in relation to its duties and responsibilities that may arise under the Task Order including, but not limited to, record retention, audits, indemnification, insurance, the protection of confidential information, and property ownership and use.

SECTION 4. SERVICES TO BE PROVIDED AND SCOPE OF WORK

- A. The Contractor agrees to provide the following services:
 - 1. Community Health Assessment:
 - a. Assemble a diverse stakeholder group for the community health assessment and have regular meetings. Contractors must submit a membership list of partners participating in the community health assessment process, meeting agendas, and meeting minutes. The stakeholders must include any local healthcare providers, clinics, or hospitals, prevention specialists, behavioral health providers, counselors, etc. Other stakeholders could include but are not limited to academic institutions, local schools, other departments of government, community non-profits, Tribal health departments, and the state health department. Your local board of health must be engaged in the process. Provide meeting agendas, attendance lists, minutes, and/or key issues or finding that developed from the meeting; submit with activity reports.

- b. Provide a description of the process used to identify health issues and assets. Progress will be tracked with activity reports.
 - c. Complete a community health assessment that includes: the use of data from a variety of sources (both primary and secondary data), description of the demographics of the population, general description of the health issues and any population groups with particular health issues and inequalities, discussion of any identified contributing causes to the health challenges, and a description of any assets or resources to address the health issues. Progress will be tracked with the activity reports.
 - d. Upon completion of the community health assessment, the Contractor must share the results with stakeholders, partners, and the public.
2. Participate in a telephone call with the Local and Tribal Support Program at least once during the grant period (specific to date/time to be agreed upon by the parties).
 3. Complete a post grant survey detailing lessons learned and processes that could be replicated across Montana.
 4. Share the results of the community health assessment with Department of Public Health and Human Services due March 31, 2025.
- B. The Department agrees to do the following:
1. Provide allocation of funds based on the Task Order deliverables.
 2. Provide templates and resources to assist the Contractor in completing task order deliverables.
 3. Provide technical assistance in community health assessment.
 4. Communicate regularly with the Contractor through phone and e-mail as necessary to enable the Contractor to complete task order requirements.

SECTION 5. CONSIDERATION, PAYMENTS, AND PROGRESS PAYMENTS

- A. In consideration of the services provided through this Task Order, the Department will pay the Contractor a total of \$10,000 as follows:
1. The first payment in the amount of \$5,000 will be made upon signing and returning the task orders for start-up funds.
 2. The second payment of \$2,500 will be made after 6 months upon review and approval of the activity report due October 1, 2024.
 3. The final payment of \$2,500 will be made upon review and approval of the task order deliverables, due March 31, 2025.
- B. All invoices must be received by the Department no later than 30 days following the Task Order end date of March 31, 2025. Invoices received after 60 days will not be paid by the Department.
- C. The completion date of performance for purposes of issuance of final payment for services is the date upon which the Contractor submits to the Department such final reports as are required under this Task Order and are satisfactory in form and content as determined by the Department.

SECTION 6. SOURCE OF FUNDS AND FUNDING CONDITIONS

The sources of the funding for this Task Order are \$10,000 from CDC Strengthening Public Health Infrastructure, Workforce and Data Systems ALN 93.967.

SECTION 7. CFR 200 REQUIREMENTS

The following information may be required pursuant to 2 CFR 200:

1. Sub recipient name: Broadwater County Health Department
2. Sub recipient Unique Entity Identifier: ENMTASEFELN8
3. FAIN number: NE11OE000073
4. Federal award date: December 6, 2023
5. Federal award start and end date: 4/1/2024 to 3/31/2025
6. Total amount of funds obligated with this action: \$10,000
7. Amount of funds obligated to sub recipient: \$10,000
8. Total amount of the federal award: \$10,000
9. Project description: Strengthening Public Health Infrastructure, Workforce, and Data Systems in Montana
10. Awarding agency/pass-through entity/contact info: CDC/DPHHS PHSIO/Kerry Pride 406-600-1594
11. CFDA/ALN number/name: 93.967 /CDC's Collaboration with Academia to Strengthen Public Health
12. Research and Development: No
13. Indirect cost rate: N/A

SECTION 8. TERMINATION

Either party may terminate this Task Order in accordance with the Master Contract.

SECTION 9. LIAISON AND SERVICE OF NOTICES

- A. Kerry Pride, or their successor, will be the liaison for the Department. Contact information is as follows:

Kerry Pride
DPHHS PHSIO
PO Box 202951
Helena, MT 59620-2951
Phone Number (406) 600-1594
Fax Number (406) 444-6943
kpride@mt.gov

Ruby Taylor, or their successor, will be the liaison for the Contractor. Contact information is as follows:

Ruby Taylor
Broadwater County Health Department
124 North Cedar Street
Townsend, MT 59644
Phone Number (406) 266-5209
Fax Number (406) 266-3940
rtaylor@co.broadwater.mt.us

These above referenced liaisons serve as the primary contacts between the parties regarding the performance of this Task Order. The State's liaison and Contractor's liaison may be changed by written notice to the other party.

- B. Written notices, reports and other information required to be exchanged between the parties must be directed to the liaison at the parties' addresses set out in this Task Order.

SECTION 10. FEDERAL REQUIREMENTS

The Contractor agrees that they will comply with all federal statutes and regulations in providing services and receiving compensation under this Task Order. The Contractor acknowledges that there are certain federal statutes and reporting requirements that must be followed whenever certain federal funds are used. It is the Contractor's responsibility to comply with all federal laws and reporting requirements.

SECTION 11. DEPARTMENT GUIDANCE

The Contractor may request from the Department guidance in administrative and programmatic matters that are necessary to the Contractor's performance. The Department may provide such guidance as it determines is appropriate. Guidance may include providing copies of regulations, statutes, standards and policies that are to be complied with under this Task Order. The Department may supply essential interpretations of such materials and this Task Order to assist with compliance by the Contractor. The Contractor is not relieved by a request for guidance of any obligation to meet the requirements of this Task Order. Legal services will not be provided by the Department to the Contractor in any matters relating to the Task Order's performance under this Task Order.

SECTION 12. INFORMAL DISPUTE RESOLUTION PROCEDURES

In addition to the Choice of Law and Remedies in the Master Contract, the Contractor may provide written request for resolution about any disagreement about the Task Order to the Deputy Director David Gerard, Phone Number (406) 444-3654, Fax Number (406) 444-1970, David.Gerard@mt.gov with a copy to Director Charles T. Brereton, Phone Number (406) 444-5623, Fax Number (406) 444-1970, Charles.brereton@mt.gov.

SECTION 13. PUBLIC INFORMATION AND DISCLAIMERS

- A. The Contractor may not access or use personal, confidential, or privileged information obtained through the Department, its agents and contractors, unless the Contractor does so:
1. In conformity with governing legal authorities and policies;
 2. With the permission of the persons or entities from whom the information is to be obtained; and
 3. With the review and approval by the Department prior to use, publication or release.

Privileged information includes information and data the Department, its agents and contractors produce, compile or receive for state and local contractual efforts, including those local and state programs with which the Department contracts to engage in activities related to the purposes of this Task Order.

- B. The Contractor may not use monies under this Task Order to pay for media, publicity or advertising that in any way associates the services or performance of the Contractor or the Department under this Task Order with any specific political agenda, political party, a candidate

for public office, or any matter to be voted upon by the public. Media includes but is not limited to commercial and noncommercial print, verbal and electronic media.

- C. The Contractor must inform any people to whom it provides consultation or training services under this Task Order that any opinions expressed do not necessarily represent the position of the Department. When using non-federal funds from this Task Order, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Task Order prepared and released by the Contractor must include the statement:

“This project is funded in whole or in part under a Contract with the Montana Department of Public Health and Human Services. The statements herein do not necessarily reflect the opinion of the Department.”

- D. The Contractor must state the percentage and the monetary amount of the total program or project costs of this Task Order funded with (a) federal monies and (b) non-federal monies in all statements, press releases, and other documents or media pieces made available to the public describing the services provided through this Task Order.

“For contracts funded in whole or part with federally appropriated monies received through programs administered by the U.S. Department of Health & Human Services, Education or Labor. Section 503 of H.R. 3288, “Consolidated Appropriations Act, Division D, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2010”, Pub. L. No. 111-117, and in H.R. 1473, “Department” Of Defense And Full-Year Continuing Appropriations Act, 2011”, Title I – General Provisions, Sec. 1101, Pub. L. 112-10, and as may be provided by congressional continuing resolutions or further budgetary enactments.”

- E. When using federal funds from this Task Order, all public notices, information pamphlets, press releases, research reports, posters, public service announcements, web sites and similar modes of presenting public information pertaining to the services and activities funded with this Task Order prepared and released by the Contractor must include the following statement or its equivalent and must be approved by the Department liaison, prior to use, publication and release.

“This project is funded in part by grant number(s) 1 NE11OE000073-01-00 from the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services and from the Montana Department of Public Health and Human Services. The contents herein do not necessarily reflect the official views and policies of the U.S. Department of Health and Human Services or the Montana Department of Public Health and Human Services.”

- F. Before the Contractor uses, publishes, releases or distributes them to the public or to local and state programs, the Department must review and approve all products, materials, documents, publications, press releases and media pieces (in any form, including electronic) the Contractor or its agents produce with task order monies to describe and promote services provided through this Task Order.

SECTION 14. SCOPE OF TASK ORDER

This Task Order consists of 6 numbered pages:

HHS-PHSD-00000524; DPHHS 24-07-1-01-201-0

All of the provisions of the Master Agreement are incorporated into and are controlling as to this Task Order. In the case of a material conflict, a dispute, or confusing language between this Task Order and Master Contract the Master Contract shall control. This Task Order does not stand alone. If Master Contract lapses, so does this Task Order. The original Task Order will be retained by the Department. A copy of the original has the same force and effect for all purposes as the original. This is the entire Task Order between the parties.

SECTION 15. AUTHORITY TO EXECUTE

All other Terms and Conditions of Task Order is entered into and executed by the person so authorized to bind the party to the provisions of this Task Order and the Master Contract.

IN WITNESS THEREOF, the parties through their authorized agents have executed this Task Order on the dates set out below:

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICE

BY: _____ Date: _____
Todd Harwell, Division Administrator

BY: _____ Date: _____
David Gerard, Deputy Director

BY: _____ Date: _____
Charles T. Brereton, Director

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES PUBLIC HEALTH & SAFETY DIVISION

Approved as to Form:

BY:  _____ Date: 3/29/2024
PHSD Contracts Manager

CONTRACTOR, BROADWATER COUNTY

BY: _____ Date: _____
Broadwater County Commissioner

AMENDED FINDINGS OF
FACT AND ORDER REPORT

Preliminary Plat
Dated 11/20/2022

ALBE MINOR SUBDIVISION Preliminary Plat

To: Broadwater County Commissioners
From: Nichole Brown, Broadwater County Community Development Director
Subject: A proposed subdivision to be known as **Albe Minor Subdivision**

GENERAL INFORMATION

Date of Application: November 10, 2022
Element Complete: November 21, 2022
Date of Sufficiency: November 21, 2023
Review Period Ends: January 12, 2024

SUBDIVIDER: Steve Upton
Townsend, MT 59644

SUBDIVIDER'S REPRESENTATIVE: Bernadette Swenson
64 Jack Farm Road
Townsend, MT 59644

LEGAL DESCRIPTION: Situated in Section 3, Township 7 North, Range 1 East,
Broadwater County, Montana

GENERAL LOCATION: The proposed subdivision is located off Foster Drive,
approximately six (6) miles northwest of Townsend, Montana.

I. EXECUTIVE SUMMARY

The Subdivider intends to create four (4) lots from an existing 15.54-acre parcel. Lots range in size from 2.73 to 5.51 acres. All lots are being submitted for review as residential lots. Wastewater will be provided via individual on-site wastewater treatment systems for each lot. Water will be provided to each lot via individual on-site wells. Access will be provided from Foster Drive. The required preliminary review fee of \$1,900.00 has been paid.

II. REQUEST

Approval of the 4-lot Minor Subdivision for 4 single-family homes.

III. STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed Albe Minor Subdivision Preliminary Plat subject to the conditions of approval based on the recommended findings of fact included in the Staff Report.

IV. LOCATION

The proposed subdivision is located off of Foster Drive approximately 6 miles northwest of the City of Townsend.

V. EXISTING DEVELOPMENT AND USES

The property is currently vacant land.

VI. ADJACENT LAND USES

North: Vacant residential

South: Residential

East: Residential

West: Residential

VII. PUBLIC COMMENT

Public Comment was taken at the December 27, 2023 Planning Board Regular Business Meeting and subsequent Commissioner Meeting(s).

VIII. PROJECT BACKGROUND

Water is proposed to be provided via individual wells. The well sites will be reviewed and approved by the Department of Environmental Quality (DEQ).

Wastewater is proposed to be managed utilizing individual wastewater treatment systems. DEQ will review the newly created parcels for the location of wastewater treatment systems.

Access will be off of Foster Drive with a Shared Driveway Easement proposed for Lot 2 and Lot 3; an individual driveway approach for Lot 4; and a Shared Driveway Grant of Access Easement for Lot 1.

IX. STAFF ANALYSIS

Review is performed pursuant to the Montana Subdivision and Platting Act, Title 76, Chapter 3, Montana Codes Annotated, the 2021 Broadwater County Subdivision Regulations and the 2020 Broadwater County Growth Policy. The proposed preliminary plat, Albe Minor Subdivision, as submitted by the Subdivider, together with the required supplementary plans and information, appear to satisfy the requirements of these regulations and comply with the Broadwater County Growth Policy, with the suggested mitigating conditions.

X. CRITERIA FOR REVIEW:

In accordance with 76-3-608(3), MCA, a subdivision proposal must undergo review for impacts on the following primary criteria: 1. Agriculture; 2. Agricultural Water User Facilities; 3. Local services; 4. Natural Environment; 5. Wildlife and Wildlife Habitat; 6. Public Health and Safety; 7. Compliance with the County's Subdivision Regulations; 8. Compliance with Survey Requirements; 9. The provision of easements within and to the proposed subdivision for the location and installation of any planned utilities; and 10. A

provision for providing legal and physical access to each parcel within the proposed subdivision.

FINDINGS OF FACT AND CONCLUSIONS:

A. IMPACTS ON AGRICULTURE:

1. DEFINITION OF AGRICULTURE: Farming or ranching include the cultivation or tilling of the soil, the production, cultivation growing, harvesting of agricultural or horticultural commodities that are on site, such as food, feed, and fiber, the raising of livestock and poultry, bees, biological control insects, fruits and vegetables, and sod, ornamental, nursery, and horticultural crops, and including timberlands and forest lands. *Broadwater County Subdivision Regulations, Definition 3.*
2. NARRATIVE: According to the preliminary plat application, none of this property is considered prime farmland if irrigated.
3. FINDING: This proposed subdivision should not have an effect on agricultural productivity since no land is being removed from agriculture.

Per Chapter V-A of the Broadwater County Subdivision Regulations, all subdivisions must be designed and developed to provide satisfactory building sites that properly relate to topography, and must, to the extent possible, preserve the natural environment.

Conditions of approval for the proposed subdivision will require a Noxious Weed Management Plan be on file and recorded with the final plat; Restrictive covenants providing notice of agricultural operations in the vicinity; That the property shall be maintained in a weed-free manner; and restraining domestic pets on the property. Other conditions of approval will provide the opportunity to financially guarantee any improvements required by the Weed Management Plan.

Conditions of Approval Numbers 11, 13-c, 13-g, 13-h and 14 are required to mitigate impacts on agriculture. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts to agriculture, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

B. IMPACTS ON AGRICULTURAL WATER USER FACILITIES:

1. DEFINITION OF AGRICULTURAL WATER USER FACILITIES: Those facilities which provide water for irrigation or stock watering to agricultural lands to produce agricultural products. Any part of an irrigation system historically used to produce an agricultural product on property used for agricultural purposes. These facilities include, but are not limited to, ditches, head gates, pipes and other water

conveying facilities. *Broadwater County Subdivision Regulations, Definition 5.*

2. NARRATIVE: The proposed subdivision will create four residential lots between 2.73 and 5.51 acres.
3. FINDINGS: The proposed subdivision property should not have an impact any agricultural water user facilities since none are located on the property.

Conditions of Approval Numbers 13-c, 13-g, 13-h and 14 are required to mitigate impacts on agricultural water user facilities. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts to agricultural water user facilities, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

C. IMPACTS ON LOCAL SERVICES:

1. DEFINITION OF LOCAL SERVICES: All services or facilities local government is authorized to provide that benefit their citizens, such as water supply, sewage disposal, law enforcement, fire protection, emergency services, transportation system, educational system, noxious weed control, as well as services that local government does not provide such as power, telephone, state highways, etc. *Broadwater County Subdivision Regulations, Definition 34.*
2. NARRATIVE: The proposed subdivision will be accessed from individual driveway approaches, shared driveway approaches and shared access easements on to Foster Drive. It is within the jurisdiction of the Broadwater County Sheriff's Office as well as the Townsend School System. Fire protection will be offered by the Broadwater County Rural Fire District.
3. FINDINGS:
 - a. SOLID WASTE:
Individual lot owners will haul their solid waste to Broadwater Solid Waste Canister site in Townsend. Subdivision residents will have the option of hiring an independent contractor to pick up their solid waste or transport it themselves.
 - b. MAIL DELIVERY:
It is anticipated that mail will be delivered by the United States Postal Service and plans for any mail receptacles on-site are subject to review and approval by the Townsend Post Office.
 - c. UTILITIES:
It is anticipated that Northwestern Energy provide electrical service to the proposed

subdivision. Future dry utilities are anticipated to be installed underground.

d. ROADS AND TRAFFIC:

No transportation plan has been officially adopted for this area. The proposed development could cause an impact to 'Foster Drive'; therefore, a Preliminary Engineering Report (PER) should be performed prior to final plat approval to determine whether or not the applicant would be responsible for any improvements to the subdivision road, 'Foster Drive'. The proposed development could cause an impact to 'Antelope Road'; therefore, a Preliminary Engineering Report (PER) should be performed prior to final plat approval to determine whether or not the applicant would be responsible for any improvements to the county road, 'Antelope Road'.

The estimated Average Daily Trips (ADT) for four (4) residential lots is thirty-two (32) ADT. (AASHTO standards)

e. SCHOOLS:

The proposed subdivision is served by the Townsend Schools. The potential for new students from this development should not have an impact on existing bus routes.

f. EMERGENCY SERVICES:

The proposed subdivision is within the Broadwater Sheriff Department's jurisdiction. Due the rural nature of this subdivision, response times for emergency services could be longer than expected.

g. FIRE SERVICES

The proposed subdivision is located within the Broadwater Rural Fire District. The nearest firehouse is Townsend Fire Hall, an unmanned, volunteer fire house. The Subdivider will need to propose a fire protection plan for review and approval by the Broadwater Rural Fire District.

Conditions of Approval Numbers 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13-b are required to mitigate impacts on local services. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts to local services, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

D. IMPACTS ON THE NATURAL ENVIRONMENT

1. DEFINITION OF NATURAL ENVIRONMENT: The natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sound, light, and objects of historic and aesthetic significance. *Broadwater County Subdivision Regulations, Definition 47.*

2. NARRATIVE: According to the preliminary plat application the property is relatively flat with no waterways or wetlands. The proposed subdivision is outside of the FEMA mapped 100-year floodplain.
3. FINDINGS: The property is located within the Intermountain Seismic Belt that extends through western Montana and frequently produces small earthquakes and has previously developed some major earthquakes. Property damage and risk can be minimized with construction techniques and earthquake planning.

Per Chapter V-B of the Broadwater County Subdivision Regulations, the design and development of subdivisions must provide satisfactory building sites which are properly related to topography, and must, to the extent possible, preserve the natural environment.

All grading, drainage and erosion control shall be in compliance with Chapter V-J of the Broadwater County Subdivision Regulations.

All post development generated stormwater will be detained within the subdivision boundaries. A stormwater pollution prevention plan will be implemented and will remain in effect during the construction phase of this project and until disturbed soils are properly stabilized. The grading and drainage plan will be provided for review to the Environmental Health Officer and the Department of Environmental Quality.

Per Chapter V-R of the Broadwater County Subdivision Regulations, a Weed Management Plan shall be approved by the Broadwater County Weed Board prior to the subdivision application being considered complete.

A Noxious Weed Management Plan has been completed by the developer, submitted, and approved by the Broadwater County Weed Coordinator and the Broadwater County Weed Board. No critical plant species have been identified. Existing vegetation will only be disturbed for necessary construction of roads, driveways, utilities and structures. Any construction disturbance will be reseeded with an approved grass seed mix. A Weed Management Plan has been approved by the Broadwater County Noxious Weed District to control and prevent the growth of noxious weeds. The Subdivider will be responsible for adhering to the Weed Management Plan until all lots are sold or the responsibility is turned over to a homeowners' association. (*Source: Application for Preliminary Plat: Item 28—Weed Management Plan*).

A letter was received from the Montana Historical Society (MHS) on October 4, 2022 for the Albe Minor Subdivision, to determine if there are any known historical, cultural or archaeological sites which may be affected by the proposed development. According to Damon Murdo, MHS Cultural Records Manager, there had been one previously recorded sites within the designated area; the historic Northern Pacific Railroad, which is outside of the proposed project area. (*Source: Application for Preliminary Plat: Item - 31, Letter from*

Damon Murdo dated October 4, 2022)

Conditions of Approval Numbers 11, 13-c and 15 are required to mitigate impacts on the natural environment. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts on the natural environment, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed

E. IMPACT ON WILDLIFE AND WILDLIFE HABITAT

1. DEFINITION OF WILDLIFE AND WILDLIFE HABITAT: Those animals that are not domesticated or tamed, or as may be defined in a Growth Policy; and The place or area where wildlife naturally lives or travels through. *Broadwater County Subdivision Regulations, Definitions 84 and 85.*
2. NARRATIVE: Wildlife such as antelope, mule deer, white-tailed deer, upland game birds, other small birds, rabbits and other rodents likely utilize the proposed subdivision. However, there should be no displacement of wildlife since the surrounding area is residential and expansive agricultural property.
3. FINDINGS: The impacts on wildlife habitat will be negligible based upon the surrounding uses. Landowners are encouraged to install wildlife friendly fencing, contain domestic animals, and secure solid waste to reduce wildlife incidents whenever possible.

Conditions of Approval Number 13-c and 13-h are required to mitigate impacts on wildlife habitat. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts to wildlife habitat, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

F. IMPACT ON PUBLIC HEALTH AND SAFETY:

1. DEFINITION OF PUBLIC HEALTH AND SAFETY: The prevailing healthful, sanitary condition of well-being for the community at large. Conditions that relate to public health and safety include but are not limited to disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes, and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards. *Broadwater County Subdivision Regulations, Definition 59.*
2. NARRATIVE: The proposed subdivision will be served by on-site wells. Each lot will have its own wastewater system as well as stormwater retention basin.

3. FINDINGS:

a. WATER SUPPLY:

The proposed subdivision is not within the service area of a public water system. The proposed lots will be served by individual on-site water wells, drilled into each lot, according to the Preliminary Plat Application. The use of these exempt wells is subject to review and approval by the DNRC.

b. WASTEWATER

Wastewater for the proposed subdivision will be provided by the use of individual on-site wastewater treatment systems (septic drain fields). DEQ will review and issue approval for the lots for adequacy and impact of the wastewater systems on groundwater quality and will issue a determination of non-significant impacts in a Certificate of Subdivision Approval.

c. STORMWATER

A stormwater retention plan will be created with concurrence by DEQ prior to final plat approval.

Conditions of Approval Numbers 10, 13-c, 13-d, 13-e, 13-f and 15 are required to mitigate impacts on public health and safety. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The impacts on public health and safety, as set forth in the Findings of Fact, will be mitigated by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

G. COMPLIANCE WITH SUBDIVISION REGULATIONS

1. FINDINGS: The proposed subdivision meets all Subdivision Regulations, and it will remain in compliance with these regulations if all conditions of approval are satisfied. No variances have been requested.

All conditions of approval are required to address compliance with the Subdivision Regulations. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: Compliance with subdivision regulations, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

H. COMPLIANCE WITH SURVEY REQUIREMENTS

1. FINDINGS: A land survey and plat completed by a registered land surveyor in the state of Montana will need to be prepared. A review of the plat by the Community Development Department and the Examining Land Surveyor at the time of final plat application will ensure that the plat conforms to all conditions of approval, plat rules and

regulations.

Condition of Approval number 12 is required to address compliance with survey requirements. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: Compliance with survey requirements, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

I. PROVISION OF EASEMENTS WITHIN AND TO THE PROPOSED SUBDIVISION FOR THE LOCATION AND INSTALLATION OF ANY PLANNED UTILITIES

1. **FINDINGS:** Utility easements will have to be shown and described on the plat, in accordance with the Subdivision Regulations and in consultation with the utility providers, where utilities are or will be installed, and where necessary for the future extension of services.

Conditions of Approval number 12 is required to address the provision of easements within and to the proposed subdivision for the location and installation of planned utilities. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The provision of easements within and to the proposed subdivision for the location and installation of any planned utilities, as set forth in the Findings of Fact, will be addressed by the imposed Condition of Approval, based upon the record, when satisfactorily completed.

J. PROVISION OF LEGAL AND PHYSICAL ACCESS TO EACH PARCEL WITHIN SUBDIVISION

1. **FINDINGS:** Legal and physical access to the subdivision is provided via Foster Drive, which is a privately maintained public road. Therefore, no approach permits are required. The three new approaches to be installed on 'Foster Drive' will not be reviewed nor approved by any agency or entity.

Conditions of Approval Numbers 3, 4, 8, 12 and 16 are required to address the provision of legal and physical access to each parcel within the proposed subdivision. (A full list of the Conditions of Approval is found starting on page number 10)

CONCLUSION: The provision of legal and physical access to each parcel within the proposed subdivision as set forth in the Findings of Fact, will be addressed by the imposed Conditions of Approval, based upon the record, when satisfactorily completed.

IX. RECOMMENDED CONDITIONS

The Albe Minor Subdivision is recommended for approval with the following conditions:

1. Any and all adopted State and County requirements and standards which apply to this proposed subdivision must be met unless otherwise waived for cause by the governing body. **(Mitigates Findings of Fact under “Compliance with Subdivision Regulations”)** (*Section 76-3-608, MCA; Chapter I, Broadwater County Subdivision Regulations.*)
2. Plans for sewage treatment and water supply shall be submitted to the Department of Environmental Quality (DEQ) for review and approval. The Certificate of Subdivision Approval shall be filed with the final plat. All specifications in the approved plans shall be met. **(Mitigates Findings of Fact under “Impacts on Water and Wastewater under Local Services”)** (*Sections 76-4-101, et. Seq., MCA; Sections 17.36.101, et. seq., ARM; Sections 76-3-102(4), 501(1)(f)(iii), and 608(3)(a), MCA; Chapter III-A-7-d., Broadwater County Subdivision Regulations*)
3. A Preliminary Engineering Report (PER) must be prepared and certified by an engineer licensed in the State of Montana to provide an estimated cost of improvements necessary to make ‘Foster Drive’ meet or exceed Broadwater County Road Standards from the southwest corner of the proposed subdivision north to the intersection with ‘Antelope Road’. **(Mitigates Findings of Fact under “Impacts on Roads and Traffic under Local Services and the Provision of Legal and Physical Access to each parcel within the proposed subdivision”)**: (*Chapter V-H-a-iv, Broadwater County Subdivision Regulations*)
4. A Preliminary Engineering Report (PER) must be prepared and certified by an engineer licensed in the State of Montana to provide an estimated cost of improvements necessary to make ‘Antelope Road’ meet or exceed Broadwater County Road Standards from the intersection with ‘Foster Drive’ east to the intersection with US Highway 287. **(Mitigates Findings of Fact under “Impacts on Roads and Traffic under Local Services and the Provision of Legal and Physical Access to each parcel within the proposed subdivision”)**: (*Chapter V-H-a-iv, Broadwater County Subdivision Regulations*)
5. In cooperation with Broadwater County, the applicant shall create, or expand an existing Rural Improvement District for the maintenance, preservation and repair of the subdivision road or establish a Property Owners’ Association or a Road User Agreement which provides for the maintenance of Foster Drive. **(Mitigates Findings of Fact under “Impacts on Road and Traffic under Local Services”)** (*Sections 7-11-1003, 76-3-102, 501, 504 and 608(3), MCA; Chapter V-H-b, Broadwater County Subdivision Regulations*)

6. The applicant shall create a Driveway Maintenance Agreement for the maintenance, preservation, and repair of the shared driveway for Lots 2 and 3 of the Albe Minor Subdivision.. **(Mitigates Findings of Fact under “Impacts on Road and Traffic under Local Services”)**
7. The applicant shall create and execute a Grant of Shared Driveway Access Easement which shall be signed and notarized by all landowners adjacent to the 60’ wide Access Easement along the north boundary of the proposed Albe Minor Subdivision. This document shall be recorded with the final plat. If Lot 19-B or Lot 1 of the Albe Minor Subdivision are further subdivided, the cost of improving the shared driveway to Broadwater County Subdivision Road Standards must be the responsibility of the developer at the time of subdivision. **(Mitigates Findings of Fact under “Impacts on Road and Traffic under Local Services”)**
8. Utilizing the formula in the Broadwater County Subdivision Regulations Section V-H-a-iv, the applicant shall complete the following for the subdivision access road: **(Mitigates Findings of Fact under “Impacts on Utilities and Impacts on Roads and Traffic under Local Services and the Provision of Legal and Physical Access to each parcel within the proposed subdivision”)**:
 - a. The applicant shall be responsible for their proportionate share of improvements to ‘Foster Drive’; or (*Sections 76-3-102, 501, 504(1)(g)(i), and 608(3), MCA; Chapters I-C, V-E and V-H, Broadwater County Subdivision Regulations*)
 - b. The proportionate share of funds derived from the estimated cost to improve ‘Foster Drive’ shall be placed in a reserve account held and used by the County for the upgrade of ‘Foster Drive’ only.
9. Plans for the location and installation of individual mailboxes shall be reviewed and approved by the United States Postal Service prior to installation. The Subdivider shall submit documentation from the United States Postal Service verifying their review and approval. When required, Subdivider shall provide an off-street area for mail delivery. The Subdivider, its successors and assigns shall be responsible for all costs associated with meeting this condition of approval. **(Mitigates Findings of Fact under “Impacts on Mail Delivery under Local Services”)** (*Sections 76-3-102(4), 76-3-501(1), and 76-3-608(3)(a)-(b); Chapter V-I, Broadwater County Subdivision Regulations.*)
10. Prior to submitting the final subdivision plat application, the applicant shall complete a Fire Protection Plan for the purpose of furthering fire protection. The Fire Protection Plan shall be created with concurrence by the Broadwater County Rural Fire District. **(Mitigates Findings of Fact under “Impacts on Emergency Services under Local Services and Impacts on Public Health and Safety”)** (*Sections 76-3-102, 501, 504 and 608(3), MCA; Chapter V-Q, Broadwater County Subdivision Regulations*)
11. Prior to any development and/or soil disturbance, the applicant shall submit a Subdivision Noxious Weed Management and Revegetation Plan for the proposed subdivision to the Broadwater County Weed District for review and approval. All

specifications and requirements of the approved plan shall be met at the cost of the applicant. The applicant shall submit documentation to the Broadwater County Community Development Department from the Weed District verifying their review and approval. **(Mitigates Findings of Fact under “Impacts on Agriculture and Impacts on Natural Environment”)** (Sections 76-3-102(5 and 6), and 608(3)(a), MCA; *Chapters I-C-9 and V-R, Broadwater County Subdivision Regulations*)

12. The final plat shall be prepared in accordance with the applicable State survey requirements, Montana Subdivision and Platting Act survey requirements and the County Subdivision Regulations. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. The final plat shall provide for the following: **(Mitigates Findings of Fact under “Impacts on mail Delivery, Utilities, Roads and Traffic under Local Services”, “Compliance with Survey Requirements, the provision of Easements within and to the Proposed Subdivision for the Location and Installation of any Planned Utilities and Provision of Legal and Physical Access to each Parcel within the Proposed Subdivision”)** (*Section 76-3-102, 76-3-402, 76-3-501, 76-3-504, and 76-3-608(3), MCA; Rule 24.183.1107, ARM; Chapter II-B-2, Broadwater County Subdivision Regulations*)

- a. All existing and proposed utility easements on the subject property; and
- b. All existing access and utility easements adjacent to the subject property.

13. The Book and Page reference to the restrictive covenants (filed with the County Clerk and Recorder) shall be indicated on the face of the final plat. In addition, the forgoing restrictive covenants, shall be placed upon the property and shall provide for the following **(Mitigates Findings of Fact under all Review Criteria listed in the Staff Report)** (*Section 76-3-608(3)(a), MCA; Chapters I and III, County Subdivision Regulations*)

- a. Notice is hereby given that all lots shall be used for Residential purposes only per the subdivision application **(Mitigates Findings of Fact under “Compliance with Subdivision Regulations”)** (*Chapter I-C and III-A, Broadwater County Subdivision Regulations*);
- b. Notice is hereby given that each owner of any lot by acceptance of a deed therefore, whether or not it shall be so expressed in such deed, waives the right to protest joining or the amendment of a Rural Improvements District for the installation, maintenance, preservation, and repair of the following: roads that provide access to the subdivision, stormwater improvements for the subdivision; fire protection improvements for the subdivision. **(Mitigates Findings of Fact under “Impacts on Roads and Traffic under Local Services”)** (Section 76-3-102(4), MCA; *Chapter V-H-b, Broadwater County Subdivision Regulations*)
- c. Notice is hereby given that each lot shall be maintained in a weed-free manner and a Noxious Weed and Revegetation Plan has been prepared for the subdivision and is on file with the Broadwater County Clerk & Recorder’s Office. **(Mitigates Findings of Fact under “Impacts on Agriculture, Impacts on Agricultural Water Users, Impacts on the Natural Environment, Impacts on Wildlife and Wildlife Habitat and Impacts on the Public Health and Safety”)** (Sections 76-

3-102 and 608(3), MCA; *Chapters I-C-9 and V-R, Broadwater County Subdivision Regulations*)

- d. Notice is hereby given of the potential health risk from radon concentrations and that such risk can be evaluated through soil tests and mitigated through radon abatement techniques incorporated into structures. **(Mitigates Findings of Fact under “Impacts on Public Health and Safety”)** (Section 76-3-608(3)(a), MCA)
- e. Notice is hereby given that all structures within the subdivision should be constructed to specifications which meet or exceed equivalent provisions in the applicable State building code for this seismic zone (Zone 3). **(Mitigates Findings of Fact under “Impacts on Public Health and Safety”)** (Section 76-3-608(3)(a), MCA)
- f. Notice is hereby given of a restrictive covenant, binding the landowner, any heirs, successors and assigns, and all future owners of property within the subdivision, agreeing therein to hold Broadwater County harmless and indemnify Broadwater County from all claims, demands, obligations, suits, causes of action, damages, and liability, including the County’s costs and attorney’s fees, arising in any manner whatsoever out of, or relating to, the existence, use, operation, repair and/or maintenance of the following: **(Mitigates Findings of Fact under “Impacts on Public Health and Safety”)**(76-3-608(1) and (4), MCA; *Chapter I-C-10, Broadwater County Subdivision Regulations*)
 - i. Exposure to radon;
 - ii. Earthquake fault zone and any seismic activity; and
 - iii. Water availability
- g. Notice is hereby given of the presence of agricultural operations in the vicinity and such operations may occur at varying times and seasons and include, but are not limited to, the noises and odors due to the operation of machinery, the pasturing and feeding of livestock, irrigation, and the application of fertilizers, herbicides, and pesticides to fields. **(Mitigates Findings of Fact under “Impacts on Agriculture and Impacts on Agricultural Water User Facilities”)** (section 76-3-608-(3)(a), MCA; *Chapter III-A-7-b, Broadwater County Subdivision Regulations*)
- h. Notice is hereby given that domestic pets should be restrained on the property at all times **(Mitigates Findings of Fact under “Impacts on Agriculture, Impacts on Agricultural Water User Facilities, Impacts on Wildlife and Wildlife Habitat”)** (Section 76-3-608(3)(a), MCA; *Chapter I-C and III-A-7, Broadwater County Subdivision Regulations*)

14. The Subdivider shall include a notarized “Right to Farm” declaration with final plat affirming that “No agricultural or farming operation, place, establishment or facility or any of its appurtenances or the operation thereof is or becomes a public or private nuisance because of the normal operations thereof as a result of changed residential or commercial conditions in or around it locality of the agricultural or farming operation, place, establishment or facility has been in operation longer than the complaining resident has been in possession or commercial establishment has been in operation.” **(Mitigates Findings of Fact under “Impacts on Agriculture, Impacts on Agricultural**

Water User Facilities) (Section 27-30-101, MCA)

15. Prior to submitting the final plat, the following improvements shall be installed or otherwise guaranteed. **(Mitigates Findings of Fact under “Impacts on Utilities, Roads and Traffic, Mail Delivery, the Natural Environment and Public Health and Safety)** (Sections 76-3-507 and 76-3-608(3)(a), MCA and Chapter III-A-7-a-iii, County Subdivision Regulations)
 - a. Any necessary improvements required by the stormwater drainage plan, weed management plan, fire protection plan, or approach permits;
 - b. Installation of mail delivery facilities; and
 - c. Utilities abutting and available to each lot.

16. A ‘No Access Restriction’ shall be shown on the final plat from Lot 4 on to the 30’ foot wide Driveway Access and Utility Easement along the southern boundary of the property and from Lot 18-A on the 30’ foot wide Shared Driveway Access and Utility Easement along the northern boundary. **(Mitigates Findings of Fact under “Provision of Legal and Physical Access to Each Parcel Within the Subdivision”)**

17. Prior to final plat approval the applicant shall:
 - a. Provide proof that all real property taxes and special assessments assessed and levied on the property are paid for the current tax year; including any past delinquencies **(Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”)** (Section 76-3-611(1)(b), MCA; Chapter I-H, Broadwater County Subdivision Regulations)
 - b. Provide documentation showing that the applicant is the lawful owner of the property with the apparent authority to subdivide the same and showing the names of lien holders or claimants of record **(Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”)** (Section 76-3-612, MCA; Chapter I-H, Broadwater County Subdivision Regulations)

This preliminary approval shall be in force for three (3) calendar years. At the end of this approval period, the Board of County Commissioners may, at the written request of the applicant, extend its approval if that approval period is included as a specific condition of a written agreement between the Board of County Commissioners and the applicant. **(Mitigates Findings of Fact under “Compliance with the Subdivision Regulations”)**

DATED this _____ day of April, 2024

BROADWATER COUNTY COMMISSION

ATTEST:

Angie Paulsen, Clerk & Recorder
