



Planning Department

Powell County Planning Department • 409 Missouri Ave., Suite 101 • Deer Lodge, Montana 59722 • 406.846.9795 • chamming@powellcountymt.gov

MINUTES PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, September 6, 2018 at 1 PM.

Members Present: Bill Pierce, John Wagner, Justin Williams, Tracy Manley, Rick Hirsch, John Beck, Randy Mannix, Earl Hall

Members Absent: John Hollenback,

Staff: Carl Hamming, Lewis Smith

Public: Autumn Coleman, Joel Chavez, Jeff Johnson, Doug Boutilier

President Manley called the regular meeting to order at 1:00 PM.

Agenda Item #1 – Attendance

With eight members being present, a quorum was established.

Agenda Item #2 – Approval of Agenda

The Board did not change the agenda.

Agenda Item #3 – Approval of Minutes

Vice President Hirsch motioned with Member Williams seconding to approve the August minutes as presented. The Planning Board approved the motion through a vote of eight to zero.

Agenda Item #4 – Non-Public Hearings

4a. Update on the CFROU Cleanup at Grant-Kohrs Ranch (DEQ & NPS)

Autumn Coleman and Joel Chavez of Montana DEQ and Jeff Johnson of the NPS presented the Board with an update of their plans to begin cleaning up the floodplain of the Clark Fork River through Grant-Kohrs Ranch (Phases 15 & 16). DEQ intends to begin moving dirt in October and expects that work will last for roughly twenty months depending on weather. DEQ discussed closures along the river (FWP) and lowering the floodplain. The Board asked about cleanup levels, where they are derived from and water contamination in Deer Lodge as well as the greater valley region. DEQ also discussed where they have previously performed work and their plans for the future closer to the headwaters (Warm Springs ponds).

4b. Boutilier Family Conveyance

Mr. Hamming presented the Board with an overview of the request from Mr. Boutilier to divide his twenty acres in half and bestow ten-acres upon his daughter. Mr. Hamming showed slides illustrating the proposed split as well as the existing structure on the western half of the property. Mr. Boutilier said the shed would be torn down and his daughter would build a cabin for recreational use. Mr. Boutilier stated that he has four children, but only his daughter utilizes the property (along with himself) and so he is splitting it in half for just his daughter. The Board asked Mr. Boutilier about future intentions of the property and his experience of utilizing a family conveyance exemption in Lewis and Clark County. Mr. Boutilier said he intends to bestow it upon his daughter and expects her to hold onto the property, as he does not want a stranger moving in close to his cabin. Mr. Boutilier said he occupies his cabin every weekend and plans to continue to do so. Mr. Boutilier also stated that

he would not be opposed to have restrictions or conditions placed on the approval of the Family Conveyance that would limit him or his daughter from selling it off for a certain number of months.

Member Pierce motioned with Member Beck seconding to approve the family conveyance as not an attempt to evade subdivision review with the conditions recommend in the Staff Report. The Board voted eight to zero to approve the Family Conveyance.

Agenda Item #5 – Public Hearings

None

Agenda Item #6 – Continued or Tabled Business

Family Conveyance Criteria

Following the Board discussion in July, Mr. Hamming drafted possible regulations that the Board could recommend to the Commissioners for adoption to include in the Powell County Subdivision Regulations. The Board discussed the recent abuse as well as possible criteria such as holding the petition as a public hearing or notifying adjacent landowners. The Board also discussed how to track Family Conveyances and how long to restrict transferring the property.

WUI Presentation – Member Hall

Member Hall gave an in-depth presentation on the importance of considering wildfire risk when building/maintaining property. There are many steps and mitigation measures to minimize wildfire risk. Many of the slides were derived from the Headwaters Economics/CPAW program. The presentation also included videos of insurance company studies of building materials.

Agenda Item #7 – Planning Board Comments

None

Agenda Item #8 – Staff Comments

- a. County Attorney
None
- b. Planning Staff
None
- c. Other
None

Agenda Item #9 – Public Comments

None

Agenda Item #10 – Announcement of the September 6th Meeting

President Manley announced the Planning Board will hold their next meeting on October 11th at 1 PM.

Agenda Item #11 – Adjourn

President Manley adjourned the meeting at 4:25 PM.

Respectfully Submitted,
Carl Hamming
Powell County Planning Director

Tracy Manley, President

Date