



# Planning Department

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## MINUTES PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, February 7, 2019 at 1 PM.

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

**Members Absent:** Tracy Manley

**Staff:** Carl Hamming, Scott Hazelton

**Public:** Tim Olsen, Don Beck, Don Beck Jr., Sarah Richey, Jerry Grebenc

**Vice President Hirsch called the regular meeting to order at 1:05 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**

Member Hall motioned with Member Mannix seconding to approve the January minutes with one edit from Member Pierce regarding the Wildfire Manual. The Board voted eight to zero to approve the minutes.

**Agenda Item #4 – Non-Public Hearings**

**Olsen BR**

Mr. Hamming presented the Board with the requested Boundary Relocation from the Olsen family. The COS has been reviewed and approved by the Sanitarian and the ELS. Mr. Hamming discussed the acreage and the zoning compliance of the proposed tracts. Mr. Olsen elaborated on the estate planning that he is undertaking and explained the proposed layout of the property lines. The Board ensured that all proposed tracts have legal access and the proper easements exist.

Member Pierce motioned with Member Mannix seconding that the proposed Boundary Relocation is not an attempt to evade subdivision review. The Board voted eight to zero to approve the motion.

**Graveley & NCP Bayou II Conservation Easements – Five Valleys Land Trust**

Mr. Hamming introduced Sarah Richey from Five Valleys Land Trust to present the proposed conservation easements. Ms. Richey gave an overview of the two subject ranches and the funding mechanism behind the proposed work. Ms. Richey explained that the Conservation Fund is a temporary holder of the Bayou Ranch as the Graveley family intends to use the funds from placing the easement on their property to purchase the Bayou Ranch. Ms. Richey described the proposed conservation easements that ensure public access for hunting that will be managed by Montana FWP. The Graveleys have previously participated in Block Management and intend to continue to do so. Ms. Richey also described the funding from the Natural Resource Damage Program and how

the proposed easements fit into their mission. Both ranches had an appraisal conducted as well as a mineral remoteness test that produced a negligible result.

The Board asked about the timber management that will be permitted on the ranches. The Board was curious if a timber management plan needed to be prepared by a professional forester or if the landowner could submit their own plans. The Board also asked about the status of the roads and where the public will be able to access the ranches for hunting purposes. Member Mannix noted a typo on Page 6 that needs to be corrected. The Board also discussed the regular need for gravel and asked if the conservation easement would preclude any gravel sources being developed. Ms. Richey noted that the Graveley family stated that there is very limited gravel on the properties and were not concerned about including gravel pit development in the easements. The Board also discussed the permitted building envelopes for each ranch and what would be permissible such as a new well or home site.

After the Board finished asking questions about the proposed conservation easements, Vice Chair Hirsch asked if the public had any questions or comments. Don Beck Jr. asked Ms. Richey about the redemption rights on the Bayou ranch and she stated that the owner had signed away the right. Mr. Beck asked about moving his cattle across the property to access the State land and Ms. Richey stated that a new access agreement could be established with the new property owners (the Graveley family). Mr. Beck also noted the old borrow pit that was developed when I-90 was constructed and Ms. Richey said she would follow up on the potential gravel source. Mr. Beck discussed the history of the mining to the north of the ranches and the railroad that was abandoned after the mine closed. Mr. Beck also questioned the goals and objectives of the NRDP.

After the discussion of the proposed conservation easements, the Board thanked Ms. Richey for presenting and gathering their feedback. Regarding conservation easements, no action is required from the Board.

#### **North Powell Zoning Update (CDBG Grant)**

Mr. Hamming gave a brief overview of the CDBG grant application and why the County is undertaking an effort potentially update the zoning map for the north half of the County. Mr. Hamming informed the Board that Great West had been hired as the consultant for this grant and introduced Mr. Jerry Grebenc. Mr. Grebenc discussed the planned public outreach effort. It will include surveys and open houses in Ovando and Helmville. Mr. Hamming and Mr. Grebenc described how the surveys will be both electronic and hardcopies that will be available in public places in the towns. Mr. Grebenc and Mr. Hamming proposed the geographic scopes of the effort and the Board agreed that the dividing line between T12N and T13N would be a logical boundary. The Board discussed the perception of zoning in the north half of the county and the need to not impede or obstruct growth in the rural town centers. The County hopes to wrap up this effort in 2019.

#### **Agenda Item #5 – Public Hearings**

None

#### **Agenda Item #6 – Continued or Tabled Business**

##### **Wildfire Safety Manual – Member Hall**

Mr. Hamming gave an update of the edits that he and Member Hall worked through since the last review. Mr. Hamming explained that he hoped to have a motion from the Board to recommend that the Commissioners review the Manual and authorize it being distributed with future development certificates. Member Pierce discussed his reservations about an applicant needing to submit property photos as part of an application. Member Mannix motioned to recommend review to the Commissioners. Member Wagner seconded the motion. Member Hall recused himself from the vote. The Board voted four to two in favor of the motion with Members Williams and Pierce voting against. (Member Hollenback had to leave early).

#### **Subdivision Regulations Update**

Mr. Hamming and Mr. Hazelton discussed the need for the County to update its regulations to comply with State code. Mr. Hazelton walked the Board through the various changes and edits from the current version of the regulations (last updated in 2006). Staff will have a full hardcopy for the Board to review at the next meeting.

**Old Yellowstone Trail Update**

Mr. Hamming gave an overview of the proposed trail. Mr. Hamming will have someone from the County Parks Board come before the Planning Board to present the construction plans and request a conditional use permit since it is a proposed land use change.

**Agenda Item #7 – Planning Board Comments**

None

**Agenda Item #8 – Staff Comments**

- a. County Attorney - None
- b. Planning Staff – Brief discussion of draft Bill regarding legal and physical access.
- c. Other - None

**Agenda Item #9 – Public Comments**

None

**Agenda Item #10 – Announcement of the December Meeting**

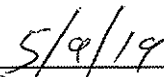
Vice President Hirsch announced the Planning Board will hold their next meeting on March 7<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

Member Hirsch adjourned the meeting at 4:20 PM.

Respectfully Submitted,  
Carl Hamming  
Powell County Planning Director

  
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Rick Hirsch, Vice President

  
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Date