

**STILLWATER COUNTY
COMMISSIONER MINUTES**

Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

REGULAR MEETING

JANUARY 23, 2018

- Present:** Commissioners Dennis Shupak, Chair; Maureen Davey and Mark Crago, Members; and Lori Dobitz, Administrative Assistant.
Others Present: Jerry Friend, Treasurer; April Limburg, Planning; Heidi Stadel, Clerk and Recorder; Mark Schreiner, Road Superintendent; Carol Arkell, DES; Cliff Brophy, Sheriff; Burton Williams; Joan Brownell; and Mikaela Koski, Stillwater County News.
- Pledge to Flag:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Public Comments:** none heard.
- Claims:** Commissioner Crago **MOVED** to approve manual claim checks no. 99257 and 99258 in the amount of \$246,000. Commissioner Davey **SECONDED**. Motion passed unanimously.
- Minutes:** Commissioner Davey **MOVED** to approve the minutes of the public hearings held on January 9, 2018. Commissioner Crago **SECONDED**. Motion passed unanimously.
- Consent agenda:**
1. HRDC - 2018-2019 CSBG Plan Approval
 2. DES - 2018-2019 EMPG Grant – County commitment
- File Items:**
1. Department Report(s) – Sheriff’s Office Victim Witness Quarterly Status Reports.

Commissioner Davey **MOVED** to approve the consent agenda and place the file items to file. Commissioner Crago **SECONDED**. Motion passed unanimously.

Regular Business:

1. Road Department - Lease/Purchase Agreement for 2018 Case 921G Loader Titan Machinery. Commissioner Crago **MOVED** to approve the lease/purchase agreement as presented in the amount of \$213,171. Commissioner Davey **SECONDED**. Commissioner Davey stated the road department has visited with the commission regarding this purchase and it is in their budget. Motion passed unanimously.
2. Columbus Airport - Billing and Change Order 3 for Airside Pavement and Electrical Rehab (construction) AIP 3-30-0017-013-2017. Commissioner Crago **MOVED** to approve the airport documents. Commissioner Davey **SECONDED**. Motion passed unanimously.
3. Planning – Future Part One Zoning Guidelines – Heidi Stadel, Clerk & Recorder, read a draft resolution to adopt future part one zoning petition guidelines in Stillwater County. Following the reading of the resolution, Commissioner Crago **MOVED** to adopt Resolution 2018-05. Commissioner Davey **SECONDED**.

Discussion followed:

- a. Commissioner Crago stated five counties in Montana currently have guidelines similar to this from which a draft for Stillwater County was compiled. He said he worked with the Clerk and Recorder and the County Attorney on the draft so the county may move forward if further Part I Zoning comes before the commission.
- b. Burt Williams asked if the Commission would accept public comments before a final decision is made. He stated one thing he wouldn't consider as settled law and that is the inclusion of mineral rights in the necessity for collecting signatures, nor any way to find out who those mineral right owners are. He said the county has data bases for taxpayers for the surface land, but the mineral rights owners do not pay taxes so those ownership rights are not in a data base or easily obtainable. He said there are a number of uncertainties in the guidelines and would like to have time to look at the resolution and be able to make comment.

- c. Commissioner Davey stated she read the samples from the other counties and she supports the draft resolution guidelines. The County Attorney has advised the commission on this Commissioner Davey stated. However, Davey said she also supports making sure the public is aware and has a chance to comment.
- d. Commissioner Crago said he would not be opposed to postponing action on the motion until the next agenda meeting and give the parties a week to comment. Burt Williams said two weeks would be more reasonable for the petitioners that travel and live out of state.

Vote: Commissioner Shupak called for a vote. Motion failed unanimously.

Motion: Commissioner Crago **MOVED** to postponed the decision on the guideline adoption until February 6, 2018, allowing 14 days for public comment. Commissioner Davey **SECONDED**.

Further Discussion: Burt Williams stated that every governmental action he has seen allows a minimum 30-day public comment period at the State or Federal level.

Vote: Commissioner Shupak called for a vote. Motion passed unanimously.

Meeting Adjourned:

Hearing no further comments, Commissioner Shupak adjourned the meeting at 9:25 AM.