

**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  
JULY 25, 2017**

- Present:** Commissioners Dennis Shupak, Chair; Mark Crago, Member; and Lori Dobitz, Administrative Assistant. Commissioner Maureen Davey was absent.
- Others Present: Mark Schreiner, Road & Bridge; Scott Aspenlieder; Coralee Hicks; Carol Arkell, Fire Warden; Randy Werdal, Road & Bridge; Nancy Rohde, County Attorney; Jon France, Horseshoe Hills; Jill Exner, Horseshoe Hills; Jerry Friend, Treasurer; Forrest Mandeville, Planning; Mikaela Koski, Stillwater County News.
- Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Minutes:** Commissioner Crago **MOVED** to approve the minutes of May 30, 2017, as written. Commissioner Shupak **SECONDED**. Motion passed unanimously.
- Claims:** Commissioner Crago **MOVED** to approve manual warrants in the amount of \$471.39. Commissioner Shupak **SECONDED**. Motion passed unanimously.
- Consent agenda:** 1. Park City Chip Seal Project - Knife River, Contractor, start date August 1, 2017.
- File items:** 1. Montana Department of Transportation - Shane Creek Roadway & Roadside Safety Improvements  
Commissioner Crago **MOVED** to approve the consent agenda and place the file items to file. Commissioner Shupak **SECONDED**. Motion passed unanimously.
- Special issues:** 1. 2017 Fire Season - Carol Arkell, Fire Warden, recommended leaving the burn permit system closed and remain in Stage I Fire Restrictions. The Commissioners concurred.
2. Stillwater River Road Rock Slide - Mark Schreiner, Road Superintendent, reported equipment will be on the site of the project today and work will commence tomorrow.
- Regular Business:** 1. Columbus Airport Woltermann Memorial  
a. Airfield Pavement and Electrical Rehab Design AIP-3-30-0017-012-2015  
b. Airfield Pavement and Electrical Rehab Construction AIP 3-30-0017-013-2017

- c. Knife River Contract - review/approval as recommended by Morrison - Maierle Engineer

Commissioner Crago **MOVED** to approve the above referenced documents for the airport project, as presented by the Airport Board and Morrison-Maierle.

Commissioner Shupak **SECONDED**. Motion passed unanimously.

2. Solid Waste Department

- a. By-laws Amendment of Policy 5.00, Article 1. Membership (removing the requirement of a health board member )

Commissioner Crago **MOVED** to amend the by-laws as recommended by the Solid Board. Commissioner Shupak **SECONDED**. Motion passed unanimously.

- b. Assessment addition Tax ID 1020079 - the Solid Waste Board recommended the Mountain Range RV Park increase from 10 units to 16 units as it is open year-round. Commissioner Crago **MOVED** to approve the recommendation. Commissioner Shupak **SECONDED**. Motion passed unanimously.

- c. Assessment removal Tax ID 104005 - the Solid Waste Board recommended the removal of the assessment on Mrs. Averill Keller's property in the Reed Point area. Commissioner Crago **MOVED** to approve the recommendation. Commissioner Shupak **SECONDED**. Motion passed unanimously.

3. Planning Department

- a. Horseshoe Hills Subdivision - Revised Final Plat Documents

Forrest Mandeville, Contract Planner, submitted a project memo to the Commissioners summarizing the project application for the subdivision and the unique request. He said on June 13, 2017, the commissioners approved the final plat for the subdivision, that included a subdivision improvements agreement (SIA) and a fire prevention and control plan showing building envelopes on each lot and attached to the SIA and covenants. The approve subdivision was ready to be filed at that time, however, the applicant changed and re-submitted the documents requiring further commissioner review. He said the county subdivision regulations require final plat to conform to the preliminary plat as reviewed by the Planning Board and approved by the Commission, and incorporate modifications required by conditions of approval.

A discussion followed on the proposed changes made, by the applicant, to the SIA and the Fire Prevention Control Plan. Forrest stated the applicant was notified of the conditional approval of preliminary Horseshoe Hills Subdivision (April 28, 2016) and also of their right to appeal the decision of the County Commissioners to District Court by June 1, 2016. To his knowledge the applicant did not pursue that option. Mandeville said because the revised SIA submitted by the applicant does not meet the conditions of approval, he is recommending the commission deny the request to change the previously approved documents for the Horseshoe Hills Subdivision. Further discussion continued between Scott Aspenlider, Performance Engineering, (applicant's agent), and the Commissioners and Planning Consultant. Motion - Commissioner Crago **MOVED** to postpone a decision pending further clarification until the next scheduled agenda meeting on August 1, 2017. Commissioner Shupak **SECONDED**.

Commissioner Crago said he would like to know why the applicants want to make amendments after approval. Scott stated there was miscommunication between he and the former planning consultant stating he had not agreed to the conditions prior to the final plat being placed on the consent agenda and apologized for the crossed wires. He said the biggest contention is the Fire and Prevention Control Plan and went on to explain why. Scott said there isn't another situation in Stillwater County in which this type of language requiring and restricting building on private property has ever been included in any subdivision to this point.

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

**Public Comment:** none heard.

**Meeting Adjourned:** Hearing no further business, Commissioner Shupak adjourned the meeting at 9:24 am.