MEETING MINUTES
MACo Land Use, Planning & Development Committee
Virtual Meeting Via Zoom | September 29, 2020

Members

- Jeff Burrows, Chair, Ravalli
- Jason Strouf, Vice Chair, Custer
- Bill Berg, Park
- Tommy Billing, Garfield
- Randy Brodehl, Flathead
- Carol Brooker, Sanders
- Greg Chilcott, Ravalli
- Doug Crachy, Powell
- Mike Delger, Broadwater
- Darrell Folkvord, Broadwater
- Shane Gorder, Richland
- Al Knight, Wibaux
- Josh Letcher, Lincoln
- Diane McLean, Hill
- Phil Mitchell, Flathead
- Ron Nye, Madison
- Gordon Oelkers, Roosevelt
- Joe Skinner, Gallatin
- Josh Slotnick, Missoula
- Pam Converse, MWCA Rep.

1. Roll Call & Introductions
Chair Burrows called the meeting to order, and Jason Rittal, MACo Deputy Director, conducted roll call.

Guests: Dan Ellison, Jefferson County Lobbyist; Gus Byrom, Cody Ferguson, Rebecca Shaw, MT Department of Commerce; Chris Lounsby, Missoula County Chief Administrative Officer

2. Approval of Minutes: February 10, 2020
Commissioner Chilcott made the motion to approve the minutes, and Commissioner Gorder seconded the motion. Motion passed unanimously.

3. Review Assigned Resolutions
NOTE: Resolutions become legislation and policy statements guide staff regarding MACo’s action on other legislation. The Committee was tasked with reviewing their assigned resolution and making a recommendation to drop (do not pass), amend, carry forward as is (do pass), or incorporate into policy statements (do not pass; incorporate into policy).

The committee discussed their three assigned resolutions and made recommendations to the membership:

- Leasing of County Property, sponsored by Missoula County (District 11)
  Purpose: To allow for leasing for greater than 10 years—the committee amended the resolution to be up to 40 years.
  Committee Recommendation: Do Pass as Amended
  Note: This resolution was also assigned to the Community, Economic Development & Labor Committee. They recommended a “Do Pass.”

- Local Government Authority over Conservation Easements, sponsored by Valley County (District 1)
  Purpose: Authorize local governments in Montana to restrict conservation easements within their jurisdiction.
  Committee Recommendation: No Recommendation – the sponsor withdrew the resolution.
• Public Notice & Part. Criteria for Requests for Ext. of Sub. Preliminary Plat Approvals, sponsored by the Committee

   Purpose: To amend the Montana Subdivision and Platting Act to include public notice and public participation criteria for requests for extension of subdivision preliminary plat approvals.

   Committee Recommendation: Do Pass

4. **Review/Approve Committee Policy Statements**
   The committee amended two of their policy statements:

   #18 – MACo believes that the State Department of Commerce should be the agency to coordinate planning among state, federal, regional, and local levels.

   #23 – MACo supports water policy that continues to allow the de minimis use of exempt well water for agriculture, homes, and small businesses without the burden of the water right permitting process; and opposes changes to water policy that would unnecessarily increase the cost associated with accessing water; changes to water policy that limit the county’s ability to properly plan, zone for growth, or review and condition subdivision applications; changes to water policy that would negatively affect the county’s ability to meet Wildland Urban Interface requirements; and changes to water policy that may create added weed infestation in Montana.

5. **Update on Part 1 Zoning Litigation in Stillwater County: Tara DePuy, MACo Land Use Attorney**
   Ms. DePuy provided an update on the part 1 zoning—citizen-initiated zoning—litigation in Stillwater County.
   The debate is over what “affected real property owners” means. Stillwater county was arguing that it must include the subsurface mineral interest holders. The district court decided that “affected real property owners” means only the surface owners. You don’t have to include subsurface mineral interest holders in the petition process.

6. **Other Business**
   The committee had no further business.

7. **Adjourn**
   The committee had no further business.