

**REGULAR MEETING OF THE CARBON
COUNTY PLANNING BOARD**

December 16, 2014 TUESDAY 7:00 PM

**CARBON COUNTY COURTHOUSE
102 NORTH BROADWAY AVENUE
RED LODGE, MT**

I. CALL TO ORDER

Board Chairperson Julie Jones called the meeting to order at 7:02 pm.

Those present:

Julie Jones
Diann Fischer Larson
David Alsager
Gene Koch
Annette Anderson
John Francis
Pete Critelli

Those absent:

Mike Creeden
Mike Schara

Staff attending:

Brent Moore

Public attending:

Members of the public were asked to place their information on a sign-in sheet.

II. APPROVAL OF MINUTES

Pete Critelli made a motion to approve the minutes of the October 21, 2014, County Planning Board meeting as prepared. Motion seconded by John Francis. Motion passed unanimously.

III. PUBLIC HEARING

Brent Moore gave a brief overview of the Growth Policy update process that has occurred during the last 8 months. The Growth Policy is posted on the County's website: www.co.carbon.mt.us Brent acknowledged the receipt of the following formal written comments:

- Carbon County Resource Council, November 25, 2014, letter and attached suggested edits.
- Energy Corporation of America (ECA) November 11, 2014, letter – no longer pursuing well development near Belfry, MT.
- ECA email received December 12, 2014, correcting misinformation about ECA contained on page 27 of the Growth Policy.
- Email received December 11, 2014, from Julie Holzer addressing concerns over emergency preparedness, Material Safety Data Sheets (MSDS) disclosure from developers, and liability concerns.

Brent advised the Board that the goal tonight was to adopt a resolution recommending the Growth Policy to the County Commissioners. After discussion, the Board concluded:

the Public Hearing will remain open until the January 20, 2015, Planning Board Meeting. Further public comments and clarifications were encouraged. Prior to the January 20, 2015, Board meeting Brent will prepare a staff report on the Growth Policy with recommendations for the Board's consideration.

The formal written comments were reviewed as follows:

Carbon County Resource Council (CCRC) (letter and edits). Annette Anderson queried the Board as to whether they knew anything about the CCRC. Diann Fischer Larson re-directed the question to Deb Muth in the audience. Ms. Muth is chairperson of the CCRC and explained they are a citizen's group concerned with natural resource development and land use. Ms. Anderson submitted her written comments which will be posted to the County website, re: Growth Policy.

Chair, Julie Jones instructed the Board that each of the CCRC suggested edits would be discussed. Discussion followed:

- 1.2.B. - discussion of "natural resource" development
- 1.2.C. - Ms. Anderson thought the edit was vague
- 1.3.F - John Francis commented that laws were already in place. Brent commented edit was basic and probably an acceptable inclusion.
- 1.5.A. – inclusion of "hold public hearing" Brent did not recommend inclusion as County is already directed as a matter of law as to when public hearings are to be held.
- 1.5.D. – no support from Board for inclusion
- 1.6.B. - premature, to be considered in development permit process review scheduled for 2015
- 1.6.C. – comments same as 1.6.B.
- 2.1.A. – received supportive comments
- 2.2.B. – received supportive comments
- Objective 2.5 – received supportive comments
- 3.2.B. – did not receive support, CCRC asked to provide expanded comments
- Objective 3.4 - received support for edit to be included as separate objective
- 3.4.D. – received support for rephrasing "...may be affected..." to "...may be augmented..."
- Objective 3.5.B. – discussion non-conclusive
- Objective 4.4.D. – implied and supportive
- Goal 5. – received supportive comments
- 5.1.A. – received supportive comment for inclusion of "implement"
- Objective 5.3, 5.3.A. and 5.3.B. – CCRC asked to provide more information, specifically on how to implement

Letter from Ms. Julie Holzer. Julie expanded upon her comments. Brent suggested language may be added for emergency response providers in the development permit process update.

ECA letter. Growth policy will be edited with corrections provided.

Public Comments:

Albert Brown, Industry is required/has in the past worked with the County. [He felt the last five bullet points of the CCRC edits document](#) related to part 1 petition, [citizen initiated zoning](#).

Cliff Steiger, Objective 3.5.B. Encourage developers to utilize local resources. [He feels this encroaches on the rights of private business](#).

John Haden by Bridger: All amendments to your growth policy [support](#) growing government we can't afford already. Extending things always has a negative effect, use concise and clear language. All amendments bring ambiguity into the situation and [then litigation](#).

Ron Wolfe, Red Lodge. Lot of years, land use change. Change land to anything, come before you, have public hearings, gravel pit, feedlot. Between federal regulations and state regulations need to jump through hoops. State regulations. Can't get anything done, don't need more laws, seen development and growth, all have to come in and do land use change. What is in the growth policy in state law.

Phylis Hoskin from Bridger. Five volunteer fire fighters, emt. County trains individuals and groups together to practice disaster training. [Fires occurring in County can get help \(mutual aid\) from other departments. Can be handled. There is lots of expertise in the County](#).

Ron Caper, owns a business, owns property, is a taxpayer, was born in the county. Grandparents got into the energy field and worked in the coal mines. Understand and know energy has built the county, agricultural, schools, growth. Never had a school in Belfry without Oil, pays for 85% of school budget. In favor of energy production, make strong rules and regulations for others to follow, strong about enforcement. Carbon County stay the same as it has been, especially Clarks Fork Valley.

Susan Bueg, been here for 40 years, been in Agriculture. [Planning Board should consider: it is not](#) just about cost, but the fact that if we don't spend a little money now, may be more money that we are spending later. Be in the front of development vs. as an after-thought.

Julie Holzer, Red Lodge, asked if everyone on the Planning Board had seen the boom or bust film [by Future West](#).

Carol Nash from Bridger. What kind of economic growth are we getting from a boom. We want to have economic benefits to Carbon County. Not necessary helping economics here. Good, going in a good direction. She has a business, more people in her motel would be great. Willing to forego that if it is going to ruin the valley, spills, using up water, etc. Take the mineral the right way. American Petroleum has an industry standard, is it too much to ask them to do that.

Deb Muth, live in Red Lodge, on the west bench. Clarify new technology of fracking, laws and rules have not caught up with the technology. Update vision statement, to include keeping up with new technology so we can protect citizens, tourism and recreation are huge in the county. 37.5% is due to recreation and unique quality of life (according to RL Mountain study). Protect [agriculture and](#) economy we have already. Here to protect landowners and their rights. Not out to prevent/deny mineral rights. Help protect those people.

No further Public Comments received. Public Hearing will remain open until January 20, 2015, County Planning Board meeting. Brent will edit Growth Policy draft based upon his understanding of the Board's consensus on the formal written comments reviewed tonight. He will provide the Board with staff recommendations incorporating written and verbal comments.

IV. STAFF REPORT

Brent distributed minor subdivision application for Board's review and action at February 2015 Planning Board meeting.

VI. UPCOMING SCHEDULE

The next board meeting (continuation of Public Hearing on Growth Policy) will be held January 20, 2015.

VII. ADJOURN

A motion to adjourn was made by David Alsager, seconded by Gene Koch and unanimously passed. The meeting adjourned at 8:48pm.

Respectfully submitted,
Diann Fischer Larson
Board Secretary