



# Planning Department

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## MINUTES

### PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, February 5, 2015 at 1 PM.

**Members Present:** John Beck, Earl Hall, Rick Hirsch, Tracy Manley, Randy Mannix, Bill Pierce, & Bruce Thomas

**Members Absent:** John Hollenback, & Kenneth Martin

**Staff:** Brian Bender, & Lewis Smith

**Public:** Randi Curtis, & Joe Willauer

President Manley called the meeting to order at 1:06 PM.

#### Agenda Item #1 – Attendance

Seven Members being present established a quorum.

#### Agenda Item #2 – Approval of Agenda

Member Thomas moved, with Member Pierce seconding, to approve the agenda as presented. The Planning Board approved the motion through a vote seven to zero.

#### Agenda Item #3 – Approval of Minutes

Member Pierce moved, with Member Hall seconding, to approve the January 8<sup>th</sup> Minutes as presented. The Board approved the motion through a vote of seven to zero.

#### Agenda Item #4 – Continued or Tabled Business

a. None

## Agenda Item #5 - Public Hearings

- a. None

## Agenda Item #6 – Non-public Hearing Items

- a. Curtis Court Ordered Division of Land  
President Manley opened the proceedings.

Planning Director Bender explained the request, and the responsibility of the Planning Board to produce comments for the County Commissioners to consider. He continued by describing the property on the PowerPoint's Mapping Exhibit.

Randi Curtis explained the history of the property and the disagreements with his two brothers.

Vice President Hirsch expressed concerns with the walking easement.

Randi Curtis described the intent of the easement is to allow his brothers and their friends to access Forest Service land.

Vice President Hirsch suggested there is a need to create a dedicated easement on a survey to prevent future problems.

Randi Curtis responded that he prefers not to have a dedicated easement.

Member Mannix asked who owns the property to the east and south.

Randi Curtis confirmed that is the Sargent Family.

Planning Director Bender described the surrounding development patterns.

Member Beck asked if the property owner to the west has the right to cross the property.

Randi Curtis responded with a yes, however; he is unsure if anything exists in writing.

Member Thomas noted the generosity of Mr. Curtis to provide access to the public.

County Attorney Smith reading from the court documents questioned if Mr. Curtis is going to pay off the bank loan on the residence.

Mr. Curtis explained his intent is to pay off the mortgage to clear his brother's interest in the property.

Member Hall asked when these 40-acre lots were created.

County Attorney Smith acknowledged these lots existing before the 160-acre Ordinance provision.

Randi Curtis explained the ownership history of the surrounding tracts.

Vice President Hirsch asked of Forest Service access.

Randi Curtis explained the Forest Service gates the access throughout the year. Member Mannix noted the location of the gates.

Member Hall moved, with Member Mannix seconding to advise the County Commissioners this Court Ordered Division of Land is not an attempt to evade formal Subdivision Review. The motion also included to have Mr. Bender to compose a letter for the benefit of the County Commissioners noting the concerns the Planning Board has with access to Forest Service land, and access to adjacent properties. The Planning Board approved the motion through a vote seven to zero.

- b. Joe Willauer from Headwaters RC&D to discuss the Growth Policy Update  
Planning Director Bender introduced Joe Willauer from Headwaters RC&D who is going to assist with the Growth Policy Update.

Joe Willauer welcomed the opportunity to assist the Planning Board with the update. He continued by describing how he intends to facilitate public meetings and revise sections of the document. He explained his vision of a Growth Policy for Powell County.

Member Pierce asked if Mr. Willauer will help with the Regulations.

Planning Director Bender explained the terms of the Agreement do not have Mr. Willauer preparing Regulations but, does have him draft code suggestions.

Member Thomas asked how will the Planning Board meet with the public.

Planning Director Bender described it is best to meet and discuss planning themes with the public before presenting a draft document.

Member Hall asked Mr. Willauer how he sees the Policy focusing on specific items.

Joe Willauer explained his thoughts of how the various elements of a Growth Policy relate to one another.

The Planning Board discussed the purpose of the Policy, and the need to express community themes.

President Manley stressed the members should talk with residents within in their areas.

Planning Director Bender emphasized that Mr. Willauer and himself are facilitators during the process.

Planning Board discussed the importance of economic development, and the need to recommend policies that promote economic opportunities throughout the County.

Member Mannix noted the ability of the Blackfoot Challenge to provide resources relating to economic development.

The Planning Board discussed how their recommendations for District #5 (the Donut) can influence development for the City of Deer Lodge. The Board continued by noting the disparity of land available for development adjacent to the City.

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

The Planning Board discussed the proposed Confederated Salish and Kootenai Tribes Montana Compact and its influence on Powell County property owners.

President Manley asked of a proposed land division in the Cooper Lake Road area.

Planning Director Bender was not aware of any proposals.

Member Hall asked if there is a way to receive better cellphone coverage.

Member Mannix asked of the Eder property south of the intersection between Highways 141 and 200.

Planning Director Bender explained he spoke to real estate agents in the past regarding that property. He continued by noting it is a legal for development.

**Agenda Item #8 – Staff Comments**

a. County Attorney

None.

b. Planning Director

None.

c. Other

None.

**Agenda Item #9 – Public Comments**

None.

**Agenda Item #10 – Announcement of the March 5<sup>th</sup> meeting**

President Manley announced the next meeting is set for March 5<sup>th</sup> at 1 PM.

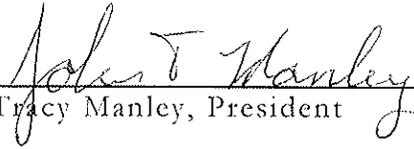
Planning Director Bender explained he spoke with a Gold Creek property owner who needs a Conditional Use Permit to expand his business.

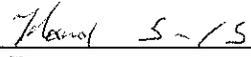
**Agenda Item #11 – Adjourn**

Member Thomas moved, with Member Hall seconding, to adjourn the meeting. The Planning Board approved the motion through a vote seven to zero.

President Manley noted the time of 3:40 PM.

Respectfully Submitted,  
Brian P. Bender, AICP CEP, CFM  
Powell County Planning Director

  
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Tracy Manley, President

  
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Date