

CASCADE COUNTY
PLANNING BOARD

11/15/2022

09:00 AM

Hybrid Online/Zoom Online Video Meeting

Board Members: Dexter Busby, Richard Liebert, Elliot Merja, Bruce Moore, Sara Murphy, Beth Schoenen, and Rob Skawinski.

NOTICE: PURSUANT TO MCA 2-3-212(1), THE OFFICIAL RECORD OF THE MINUTES OF THE MEETING IS IN AUDIO FORM, LOCATED AT CASCADECOUNTYMT.GOV AND THE PLANNING OFFICE. THIS IS A WRITTEN RECORD OF THIS MEETING TO REFLECT ALL THE PROCEEDINGS OF THE BOARD. MCA 7-4-2611 (2)(B). TIMESTAMPS ARE INDICATED IN RED, WITHIN EACH AGENDA ITEM BELOW, AND WILL DIRECT YOU TO THE PRECISE LOCATION SHOULD YOU WISH TO REVIEW THE AUDIO SEGMENT.¹

THESE MINUTES ARE PARAPHRASED AND REFLECT THE PROCEEDINGS OF THE CASCADE COUNTY PLANNING BOARD AND ARE CONSIDERED A DRAFT UNTIL FORMALLY APPROVED BY THE PLANNING BOARD.

STAFF ATTENDEES: Kevin Angland, Carey Ann Haight, Alisha Osborne, Kienna Owen-Quinata (Online), Charity Yonker.

PUBLIC ATTENDEES: None.

1. CALL TO ORDER: Elliot Merja called the meeting to order at **09:01 AM**

2. ROLL CALL:

BOARD MEMBERS PRESENT: Dexter Busby, Richard Liebert (Online), Elliot Merja (Online), Bruce Moore, Beth Schoenen (Online).

BOARD MEMBERS ABSENT: Sara Murphy, Rob Skawinski.

3. APPROVAL OF THE MINUTES :

A. Draft Meeting Minutes for 20 September, 2022 09:02 AM

1. Board Discussion & Decision

Elliot Merja: Asks if there are corrections to the minutes. Hearing none, he asks for a motion.

Richard Liebert: Moves to approve.

Bruce Moore: Seconds the motion.

Elliot Merja: Calls for the vote.

All in Favor, motion carries 5 – 0.

4. OLD BUSINESS:

¹ Due to technical difficulties, the audio/video recording and audio timestamps are not available for these minutes and the minutes are based on available written annotation taken at the time of the meeting's occurrence.

A. Conservation Easement, CE #001-2022, Submitted by Montana Land Reliance 09:04 AM

1. Charity Yonker presents the Staff Report.

Motions Presented for the Board's Consideration:

A: Move the Cascade County Planning Board, after reviewing the proposed conservation easement presented by the Montana Land Reliance, adopt the Staff Report in its entirety, and find that the proposed conservation easement is in general compliance with the Cascade County's Growth Policy and recommend the proposed conveyance be executed.

Or

B: Move the Cascade County Planning Board, after reviewing the proposed conservation easement presented by the Montana Land Reliance, find that the proposed conservation easement is not in general compliance with the Cascade County's Growth Policy and recommend the proposed conveyance not be executed.

2. Board Discussion 09:15 AM

Elliot Merja: Asks if there are questions.

Richard Liebert: Asks whether the recommendation goes to Commission for approval and asks whether there are taxation implications for creating a conservation easement.

Elliot Merja: Says he does not know the answer to that question.

Carey Ann Haight: Says that is not relevant for approval or denial recommendation by the Board.

Charity Yonker: Says that a formal letter will go to the Montana Land Reliance with the Board's recommendation, not to Commission. She states that her understanding of the arrangement is that the property owners pay the Montanan Land Reliance to set up the conservation easement and that there are some tax exemptions for having the land placed in a conservation easement for agricultural purposes.

Elliot Merja: Asks about how a conservation easement can be lifted.

Dexter Busby: Says he did not read that in the language.

Carey Ann Haight: Says she is not sure how to lift the restrictions but that it may not be able to be removed since it is created in perpetuity.

Elliot Merja: Says he understands that it is for perpetuity.

Charity Yonker: Says the Deed of Conveyance includes an extinguishment provision and only allows extinguishment by judicial proceedings.

Dexter Busby: Says so it can only be removed by a judge.

Charity Yonker: Confirms.

Elliot Merja: Asks if there are further questions. Hearing none he asks if there are any public wishing to comment.

Charity Yonker: Says there is no public present.

Carey Ann Haight: Says the Applicant is not present.

Charity Yonker: Says the Applicant was unable to be present.

Elliot Merja: Asks if there is a motion.

Richard Liebert: Motions to adopt the Staff Report and recommends the conservation easement be executed.

Elliot Merja: Asks if there is a second.

Bruce Moore: Seconds the motion.

Beth Schoenen: Seconds the motion also.

Elliot Merja: Asks if there is any further discussion. Hearing none, he calls for the vote.

All in Favor, motion carries 5 – 0.

5. **NEW BUSINESS**: None.

6. **PUBLIC COMMENTS REGARDING MATTERS WITHIN THE BOARD 'S JURISDICTION** : None.

7. **BOARD MATTERS 09:21 AM**

A. Board Member Term Application

Elliot Merja: Asks whose terms are expiring.

Charity Yonker: Says Mr. Liebert, Ms. Murphy and Mr. Skawinski and that they need to reapply or if they do not wish to serve any longer, pass on the application to anyone that would be interested in serving.

Carey Ann Haight: Says she does not know whether Ms. Fogerty had posted them already.

Beth Schoenen: Asks how many terms a person can serve on the Board.

Charity Yonker: Says two terms but if there are no other applicants you may be able to reapply.

Beth Schoenen: Asks if anyone has served at least twice already.

Charity Yonker: Says that Mr. Liebert and Mr. Skawinski have served at least twice already.

Richard Liebert: Says he will put his name in the hat.

Beth Schoenen: Says it is nice to have Board members who have experience.

Dexter Busby: Agrees.

Charity Yonker: Comments that getting applications for a seven (7) person Board can be challenging sometimes.

Dexter Busby: Asks how it is noticed to the public.

Carey Ann Haight: Says that Ms. Fogerty posts it on the County website for the Boards and they must be at least thirty (30) days from posting to the appointments.

Dexter Busby: Says it probably gets posted in the paper.

Beth Schoenen: Says KRTV is another good avenue for advertising.

Charity Yonker: Says Ms. Fogerty typically sends it to the press.

8. **Adjournment at 09:27 AM**

Elliot Merja: Asks if there is any public comment.

Charity Yonker: Says there are no members of the public in the gallery or online.

Elliot Merja: Says he has another meeting and would entertain a motion to adjourn.

Dexter Busby: Moves to adjourn

Bruce Moore: Seconds the motion.

All in Favor, motion carries 5– 0.