

**COMMISSIONER MEETING**  
**515 Broadway, Townsend, MT 59644**  
**November 18, 2019**

Commissioner Mike Delger called the meeting to order at 10:00 a.m. Commissioner Darrel Folkvord was also present. Commissioner Obert joined the meeting via phone and later in person.

Ann Rauser read a letter from Commissioner Obert explaining she is testifying on behalf of the Montana Board of Crime Control at a Legislative Hearing.

Public comment: Hugh Van Swearingen stated the Hospital Board is anxious to proceed with the demolition of the Ambulance Building, and will do what they can to expedite the process.

The meeting was closed, and a public hearing was opened to consider adoption of a resolution to create the Broadwater County Wheatland Area Zoning District and Regulation. Lynette Windemaker explained this is the second step to adopt the resolution, following a 30 day time to protest, which ended 11/17/19. She asked the Commission to adopt the resolution. Ann Rauser stated no protests had been received. The hearing was closed.

The meeting was opened. Commissioner Folkvord moved to approve the Resolution to adopt the Broadwater County Wheatland Area Zoning District and the Broadwater County Wheatland Area Zoning Regulation pursuant to 76-2-201 et seq., MCA. Motion seconded by Commissioner Obert and carried.

The meeting was closed, and a public hearing was opened to consider adoption of the ordinance to create the Broadwater County Wheatland Targeted Economic Development District (TEDD) and Comprehensive Development Plan. Janet Cornish explained the ordinance had been approved on first reading, and this second reading is required for final adoption. There were no other comments. The hearing was closed.

The meeting was opened. Commissioner Folkvord moved to approve the Final Reading and Adoption of the Ordinance to create the Broadwater County Wheatland Targeted Economic Development District and adopt the Comprehensive Development Plan with a Tax Increment Financing Provision pursuant to 7-15-4279, MCA. Motion seconded by Commissioner Obert and carried.

Doug Ellis, Treasurer, appeared to report the refund due to the Thorntons as calculated by the Department of Revenue (DOR) is \$2710.91 for 5 years. The State will refund \$618.19 (school levies) and the County is responsible for the remainder. DOR had over-assessed the property for

many years; statute allows for 5 years refund. Commissioner Folkvord moved to grant the refund. Motion seconded by Commissioner Obert and carried.

The no-build zone in the Park Trail Subdivision was discussed. Landowners want to have access to their property through the zone, but the area can have serious flood issues. Nichole Brown, Planning, has a legal opinion from Tara DePuy, MACo Land use Attorney, and has requested one from Cory Swanson. A meeting with landowners will be scheduled.

Nichole presented the Findings of Fact and Order for preliminary plat approval for the Aspen Estates Subsequent Minor Subdivision Tract 4. After discussion, Commissioner Folkvord moved to grant preliminary plat approval to said subdivision. Motion seconded by Commissioner Obert, with comments that all MCA codes were addressed. Motion carried.

Commissioner Folkvord moved to approve minutes dated 11/12/19 and 11/13/19. Motion seconded by Commissioner Obert and carried.

Communications received: Great West Engineering update of planning services project; Townsend Tree Board 2019 tree watering expenses, which were covered by PILT funds. Communications are on file in the Commissioners' office as deemed necessary and are available for review.

Shirley Wilson, Bobbi Meehan, Jessica Crusch and Brooke Dolan were also present.

The meeting was adjourned at 11:29 a.m. The next regular meeting is scheduled for November 25, 2019 at 10:00 a.m.

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Mike Delger, Chairman

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Attest:  
Ann Rauser, Deputy Clerk and Recorder