

VC Planning Board Meeting Minutes from November 14, 2023

In Attendance:

Zach Lipszyc
Rick Seiler
Tyler Thieven
Dave Pippin
Lisa Baxter
Casey Burke
John Fahlgren

Zach Lipszyc opens the meeting.

Zach asks for public comments but there are no attendees from the public.

The board reviews the minutes from the last meeting.

Rick Seiler moves to approve the August 22nd meeting minutes; Tyler Thieven seconds the motion. Zach asks for a vote from the board, the board votes unanimously to approve minutes.

Zach asks if anyone has any old business that anyone would like to discuss, the board does not have any old business to discuss.

Zach moves on to new business, family transfers.

Zach mentions there had been a discussion on possibly making a recommendation to the commissioners whether the county should stay with the new default rule of a 2-year holding period of a parcel created by a family transfer or if the county should have a different timeline.

Zach explains that any parcel created by a family transfer would need to be held by the new landowner for at least 2-years, transferring it in anyway before the 2-year period is up would be a violation of the platting act. The 2-year period would most likely start from the date on the deed transferring the land. The enforcement would most likely come from the title company.

Zach believes that in Valley County the family transfer exemption isn't being abused and the county wouldn't benefit from the 2-year holding period.

Casey Burke comments that he doesn't believe there should be a timeframe on transferring parcels created with the family transfer exemption.

Tyler Thieven asks if there are rules on the size of the parcel created with a family transfer.

Casey comments that there isn't within the family transfer language, DEQ rules could dictate lot sizes though.

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STATE OF MONTANA VALLEY COUNTY
RECORDED: 03/06/2024 11:18 KOL: MINUTES
MARIE PIPPIN CLERK AND RECORDER
FEE: \$0.00 BY: *Marie Pippin*
TO: FILED

Zach explains who can transfer to who with a family transfer.

Casey comments that a spouse can transfer property to a spouse now with the legislative changes.

Zach opens the floor to the board for their comments and explains some of the family transfer process and how all family transfers whether being done by deed with an aliquot part or a survey will be reviewed by the planning office.

Rick Seiler asks if the review of the family transfer would come before the planning board.

Casey explains that the planning board would not review it, but the county commissioners would have to approve it with the information and recommendation provided by the county planner.

Zach asks if this something the board should have a public hearing on.

The board decides that they should have a public hearing on the family transfer time period before making a recommendation to the county commissioners.

Casey comments that the board has other parts of the regulation that will need to be updated due to legislative updates so the board will need to have public hearing soon anyway.

The board moves onto the next item on the agenda moves onto the next agenda item which is the review of current review fees and whether they should be increased. Casey believes the current review fees should be increased because they haven't been increased in a long time while the county review costs have gone up. Casey explains what the current fees are.

Rick asks what the review fees go towards.

Casey comments that the review fees help offset the cost of the county planner and supplies.

Casey shares an example from another county and explains how they charge consulting fees; Casey explains he doesn't think the county should do that but just do a basic increase of fees.

Casey asks the board for suggestions as to what they would think would be best for the county.

Casey comment that the county could increase the review fees up to \$400 but he feels that \$400 would be too much in some cases.

John asks if this would be part of the public hearing.

Casey comments that he could bring examples to the public hearing of what the new fees could be for the board to go off.

Rick comments that the \$400 for a major subdivision review doesn't seem like enough considering the amount of time that goes into the review.

Zach comments that he also thinks that the major review fee seems low.

Zach goes onto ask if charging more per lot might be a good practice.

Casey comments that charging more per lot would be a good way to go.

The board discusses how that could work and different ideas.

The board likes the idea of increasing the review fee per lot.

The board discusses possible fee rate structures.

Casey tells the board he could bring possible new fee sheets to the public hearing.

Zach proposes holding public hearing during the public meeting specific to agenda items.

Casey comments that he has seen that other counties have public hearing during the meeting and put the public hearings in the agenda.

Rick asks if the examining surveyor review fee should be increased.

Casey tells the board that the county charges whatever the surveyor charges, but it might be a good idea to have that language on the fee rate sheet.

The board moves onto the legislative updates that will affect the subdivision regulations.

Casey does a summary of the changes that he thinks will most affect the county.

Casey starts with the administrative approval of certain qualified subdivision.

The board discusses the possible change.

The board then discusses the legislative change removing exempt divisions created after 1973 from consideration when determining whether the subdivision of a tract of record constitutes a minor subdivision.

Casey comments that he thinks this is a good change to the subdivision regulations and explains the change.

Rick asks for an example.

Casey and Zach give a couple examples of how the change would affect the county.

The board moves onto the next change: exempt subdivision review timelines.

Casey explains that this change would put a limit on the amount of time the county has to approve or deny an exempt subdivision.

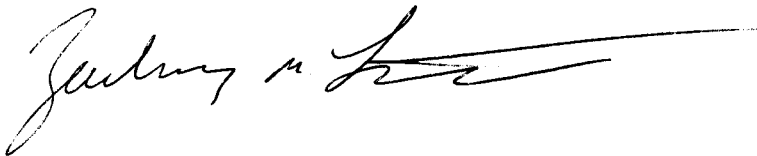
The board moves onto the family transfer changes but as the board has already talked about the change they move on.

The next change is the max fee the county can charge for an exempt subdivision review fees but as the board has already talked about this change the board moves on.

The board talked about how the planning meeting will work with the public hearing within the meeting.

Rick makes a motion to have the public hearing within the planning board meeting as this has not been the practice for the planning board in the past. Lisa Baxter seconds the motion. Zach asks for a vote; the board is unanimously in favor of the motion.

Zach ask for any other business or discussion, hearing none he asks for a motion to close the meeting. Tyler makes a motion to adjourn the meeting Rick seconds the motion the meeting is adjourned.

A handwritten signature in black ink, appearing to read "Zachary M. Baxter", with a long horizontal flourish extending to the right.