

OPENING

Chairman Browning brought the meeting to order at 6:01 p.m. and led the pledge of allegiance.

PRESENT

Chairperson Cynthia Browning
Co-Chairperson Janet Prentice left at 8:15pm
Commissioner Wenn Jorgensen
Commissioner Blake Seese
Commissioner Forrest Kuehne

Town Recorder Michelle Kinney

OTHERS

Mayor Robert Lisonbee
Council Member Debbie Kopp left at 7:24
Building and Planning Assistant Frank Lindhardt
Council Member Denny Bass

PUBLIC HEARING ON REPEAL AND REPLACEMENT OF TITLE 11, SUBDIVISIONS ORDINANCE

TIME STAMP

OPEN2:00

MOTION: Chairperson Browning moved to open the public hearing on Repeal and Replacement of Title 11, Subdivision Ordinance

SECOND: The motion was seconded by Commissioner Prentice.

VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen -	Aye
Commissioner Prentice –	Aye
Commissioner Seese -	Aye
Commissioner Kuehne–	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

Public Hearing Discussion

Time Stamp 3:00

11-1-7 Preliminary Plat Requirements

Mayor Lisonbee shares his thoughts on Bubbling Wells Easements and requiring roads to be paved. Many people are building out there because they want dirt roads. A collector road cannot have a driveway on

it.

Commissioner Seese: Since the lot was preexisting can we grandfather them in?

Commissioner Prentice: Don't they share the property line with another owner? Mayor Lisonbee-The road may be on one property but it isn't a full size road. Owners on both sides would need to dedicate 30 feet on each side of the property line. They would only finish their side of the road.

Mayor Lisonbee- Ombudsman Complaint was filed by LaBaron and Holt that we are denying them due process on building with an unreasonable request of paving the road. His adjacent neighbor is building and didn't have these same restrictions.

Mayor Lisonbee: Because we did this without any field studies etc. we may not win this battle. Is this the vision that the Planning Commission had in mind?

Commissioner Kuehne: Delay agreements are in place in Bubbling Wells area. Why couldn't we do this for the LeBaron's. Forrest mentioned he thinks delay agreements are supposed to be paid for in advance. Who would know where to find the delay agreements?

Debbie Kopp: We have boxes of records from Gary ^{Kuhlman} Coleman's office.

Commissioner Prentice: Some of those are from Mayor Mary Reep.

Denny Bass: If you force one to do it we will have to force the rest.

Commissioner Seese: Maybe offer an incentive, could we word the ordinance so it prohibits future development without making the improvement.

Commissioner Jorgensen: On number 8 change to say "or on a prescribed easement" or once the development is large enough that we could form a Special Improvement district that the residents in the area would pay into for the road improvements.

Commissioner Kuehne: what about subdividing and the lot split? Commissioner: They decided just to move forward with building at this time.

Commissioner Prentice: Change this to prescribed easement road. On number 8 Page 9; 11-1-7c8

Commissioner Kuehne: Page 2 change "chapter" to "title" Do this with any other parts that say this. Under Final "Platte" change chapter to "title"

Ososki: What is a prescribed easement? Frank Lindhardt: A road that has been cut in, if it has been there for more than 20 years it becomes a public road that is owned by the owner but cannot be cut off by the owner. This is a prescriptive easement. But if it has been closed at any time during that 20 year period then it is not a prescriptive easement.

Chairperson Browning: Add Street, prescriptive easement to definitions: a road in private ownership open to public use not dedicated or maintained as a public street.

Commissioner Seese: How does this apply to LeBaron project? Frank: You can only get a building permit if you are building off a public dedicated road.

Frank Lindhardt: Many of the homes being built right now were built illegally according to the current ordinances.

Legal recommends that we put in a delay agreement with LeBaron's so if they ^{sell} ~~sale~~ the house then the new owner would have to improve the road.

Time Stamp: 40:00

Chairperson Browning addresses Mayor Lisonbee about 11-1-4 Page 5. Add a section here that allows owners to divide larger parcels of acreage.

Commissioner Jorgensen: I would like to see a limit on how many lots a parcel can be divided into. Surveyor needs to provide a legal description.

Mayor Lisonbee gave Chairperson Browning a paragraph that he would like considered to be added to 11-1-4. Mayor recommends we limit it to 3 lots with a time period before being allowed to do it again. Add OS and OST with AG zones.

Commissioner Kuehne: Does this come from state law, are we making this easier or harder? Are we subverting that? I think you can make things harder but not easier. I guess we are making more regulation not less.

Time Stamp 1:16

11-1-11 Mayor Lisonbee points out we don't have supply irrigation ditches here. Commission would like to strike this.

11-1-17 Commissioner Kuehne: This should say preliminary.

Chapter 2

Commission discusses making corrections to the lettering and numbering.

Frank: Borrow ditches and curb and gutter cost the same amount to put in. As a town what costs less to maintain?

Fischer: asphalt is much better than chip and seal and doesn't cost much more. Barrow Ditches are nice because we don't want to be Saint George. People only have to weed eat the barrow ditches. These ditches need to actually go somewhere.

Frank: Curb vs. no curb, asphalt just fades away without curb and gutter to hold it together. You must retain your water on your own lots/ for subdivision it must be retained in the subdivision.

Short discussion held on road signs and using number or name addresses. Chairperson would like to add

number address to the town signs.

11-2-7 Driveways-

Mayor- Do we need to increase the length for driveways on flag lots? Discussion ensues on this. Do we need turnarounds on these long driveways? We need to add conditions.

Chairperson Browning- Make change to say "All driveways must comply with current fire code."

Time stamp 2:00

Discussion on Flag lots

MOTION: Chairperson Browning motioned to close the public hearing.

SECOND: The motion was seconded by Commissioner Wenn.

VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Absent (Left meeting at 8:15)
Commissioner Seese -	Aye
Commissioner Kuehne –	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

DISCUSSION AND ACTION ON HEARING OF REPEAL AND REPLACEMENT OF TITLE 11, SUBDIVISIONS ORDINANCE

MOTION: Commissioner Jorgensen motioned to forward the repeal and replacement of Title 11, Subdivisions Ordinance with the changes we have discussed to the Town Council for approval.

SECOND: The motion was seconded by Commissioner Seese.

VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen -	Aye
Commissioner Prentice –	Absent
Commissioner Seese -	Aye
Chairperson Browning -	Aye
Commissioner Keuhne-	Aye

The vote was unanimous and the motion carried.

WORK MEETING AND DISCUSSION ON MASTER ROAD PLAN MAP

Chapter : Section –

MOTION: Chairperson Browning motioned to table until a later time.

SECOND: The motion was seconded Forrest by Commissioner.
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen-	Aye
Commissioner Prentice –	Absent
Commissioner Seese -	Aye
Commissioner Kuehne–	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

CONSIDER APPROVAL OF MINUTES

TIME STAMP 2:12

MOTION: Commissioner Jorgensen motioned to approve the minutes for September 12th and September 26th 2018.
SECOND: Commissioner Kuehne.
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen -	Aye
Commissioner Prentice –	Absent
Commissioner Seese -	Abstain
Commissioner Kuehne –	Aye
Chairperson Browning -	Aye

The motion carried with Commissioner Seese Abstaining from the vote.

ADJOURNMENT

MOTION: Commissioner Kuehne moved to adjourn
SECOND: Commissioner Jorgensen.
VOTE: Chairperson Browning called for a vote:

Commissioner Jorgensen –	Aye
Commissioner Prentice –	Absent
Commissioner Seese -	Aye
Commissioner Lisonbee –	Aye
Chairperson Browning -	Aye

The vote was unanimous and the motion carried.

Time stamp 2:15

Meeting adjourned at 8:15 pm.

Date approved: 11/28/18

*approved as
amended*

Cynth. Browning
Cynthia Browning, Chairperson

ATTEST BY: *Michelle Kinney*
Michelle Kinney, Recorder