

LINCOLN COUNTY PLANNING BOARD MINUTES

TUESDAY, OCTOBER 21, 2025 – 5:30PM

LINCOLN COUNTY COURTHOUSE – LIBBY | NORTH ANNEX VIDEO CONFERENCE

MEETING CALLED TO ORDER: 5:30 PM

BOARD MEMBERS PRESENT:

<input checked="" type="checkbox"/> <u>John Damon, Chair</u>	<input checked="" type="checkbox"/> <u>Veronica Bovee Anderson</u>	<input checked="" type="checkbox"/> <u>Paul Johnson</u>
<input checked="" type="checkbox"/> <u>Ernie Anderson</u>	<input checked="" type="checkbox"/> <u>Roberta McCanse</u>	<input type="checkbox"/> <u>Jim Gibson</u>
<input checked="" type="checkbox"/> <u>Kurt West</u>	<input checked="" type="checkbox"/> <u>Scott Mattheis</u>	<input checked="" type="checkbox"/> <u>Doug Fryer</u>

STAFF: Jesse Haag, Kristin Smith, Alisha Osborne

PUBLIC: None.

AGENDA

- Meeting called to order at 17:30.
- Approval of September 17, 2025 Meeting Minutes.
 - V. Bovee-Anderson Motions to approve.
 - J. Damon suggests a correction to perennial stream.
 - The Board discusses wording, and the motion is withdrawn.
 - J. Haag suggests tabling the minutes until the next meeting.
 - **?? Motions to Table. ?? Seconds the motion. All in favor, motion carries.**
- Subdivision Regulation Updates
 - K. Smith presents the updates to the subdivision regulations. She explains that the steering committee assisted in the suggestions for edits to the subdivision regulations. She begins with chapter 4 and explains the tracking and formatting is visible for transparency reasons. She says the changes on page 3 for the appeals paragraph were for clarification purposes based on state law. She explains the page 8 procedural changes.
 - J. Haag explains the exempt survey issue for family transfers in platted subdivisions, and that we cannot scrutinize them like the subdivisions.
 - E. Anderson says it seems wrong.
 - K. Smith says the legislature is 180 degrees from where it was before. She says we can scrutinize but not condition the report.
 - J. Haag explains the revisions include some forward thinking conditions.
 - The Board discusses water rights and legislation issues that crop up, and that the original intent of family transfer is not being followed, because many have used the process as a loophole for subdivisions.
 - K. Smith explains the page 12 appeals exemption with the language recommended by MACo. She explains the process needs to be more

approachable and affordable. She also explains the differences in minor, subsequent minor, and major subdivisions and the criteria for the new questionnaire in light of the Broadwater County ruling.

- J. Haag says it is three different applications.
- P. Johnson says that is a good idea.
- K. Smith says for added scrutiny, the county can identify sources of impact before they reach certain thresholds.
- P. Johnson mentions Schreiber Meadows.
- V. Bovee-Anderson asks if it is a public hearing.
- J. Haag explains the impact of multiple minor subdivisions adjacent to each other, and the major impacts of them.
- K. Smith clarifies the page 24 statutory provisions. She explains the page 26 extension of preliminary plat approval process per the Montana Association of Counties (MACo) guidance, and the issues of extensions.
- J. Damon says there are a lot of issues with multiple extensions and the legislators did not think this through.
- K. Smith explains the water rights and that developers must provide better evidence to request extensions.
- P. Johnson says things change and might not be valid.
- J. Haag says we do not know what the real impacts of that development are until they are there.
- The Board discusses the water table issues and the regulations changes.
- K. Smith asks for the Board's thoughts on multiple extensions.
- S. Mattheis says it should be in good faith.
- Kurt West explains the issues with cost of materials and the link to extension requests.
- The Board discusses the pros and cons of different options for extensions, and the valid considerations and discusses benefits of extensions on a case-by-case basis.
- K. Smith covers the next section and says all that are not creating a new lot will go to Buildings for Lease or Rent (BLR). It is added to the language "materially different" to determine if additional review is needed. She explains the page 31 conditions of approval specific to impact, which must be measurable, and Page 32 which covers water and groundwater requirements. She covers page 41 design and explains the language clarification. She says that Mr. Haag will provide the floodplain provisions for that section. She then explains the new section on access. She explains the difference in rights-of-way and easement types.
- The Board discusses the differences and fees.
- K. Smith says there are no changes in the next section. She says that on page 47 the Circular 8 is outdated, and on page 49 that solid waste is struck. A new section concerning water monitoring policy is added. She explains the utilities section and asks if the word 'telephone' should be struck.
- E. Anderson says to keep the landline because some areas have no cell service still.
- J. Damon says we could add a narrative or questionnaire.

- J. Haag says that is something that should be cost-shared in a subdivision.
- The Board discusses the pros and cons of requiring certain utilities, and discuss striking out the 'or cellular service' exception.
- K. Smith says there is an out on page 50 for very remote or off-grid properties.
- The Board agrees to strike 'or cellular service' from the paragraph.
- K. Smith says on page 58 the provision on weeds can be struck, as it is not a design standard. The next section was struck as it was moved to the Buildings for Lease or Rent (BLR) regulations. She says the forms are next on the list to redo and they will be made fillable. She explains the BLR review and the new legislative updates that were added to the subdivision regs from page 7 onward. RV parks are not included in the BLR regulations. She explains how there need to be safeguards built in without overstepping the regulations.
- J. Haag says that nothing precludes the Department adding the requirement to notice and comment on RV parks.
- K. Smith asks if the Board has comments.
- V. Bovee-Anderson asks a question about the definitions.
- K. Smith says the sections have only been added, not reviewed yet.
- The Board discusses recent events concerning a school bus fire, and the testament to the struggle for housing. They discuss historical uses, issues, causes, and the need for regulations. The tax burden, and impacts to services and solutions such as impact fees. K. Smith explains how impact fees work.
- R. McCanse asks about the tiny house proposals.
- K. Smith says please contact her if there are any comments.
- Commissioner Memo on Growth Policy Review
 - J. Haag explains the new information regarding the Thompson Chain of Lakes neighborhood plan, and reads the email from Green Diamond that says they have stepped back. After Eureka, the area that has the biggest potential for growth is the Happys Inn area, and there is no deadline but should still take a look at the plan and it can be incorporated into the document with recommendations and standards. Then, we can take a memo to the Commissioners in December.
 - The Board discusses the historical ownership of land near Happys Inn, and the litigation issues.
- Planning Staff Update
 - J. Haag says he attended the Montana Association of Planners (MAP) conference and the AWRA conference. He discusses the information and issues surrounding the aquifers and the plight of rural counties. The Department of Natural Resources and Conservation (DNRC) will be processing requests after the first of the year to review water rights. Liability is discussed.
- Adjournment
 - S. Mattheis motions to adjourn.
 - **J. Damon calls for the vote. All in favor. Motion carries.**

