

Billings County Planning and Zoning Committee

February 2, 2012

1:00 P.M.

Members present: Connie Kasian, Paul Krush, John Tczap, Cathy Cerkoney, Don Heiser, Anita Kessel

Members absent: Jim Arthaud

Others present: Mary Abrahansom, Jonathon Klym, Steven Klym, Lynette Bushaw, Allan Thompson, Steve Burns, John McCain, Kurt Kordon, James Odermann

Chairman Tczap called the meeting to order. Connie Kasian moved to approve the minutes of January 12, 2012. Anita Kessel seconded. All voted aye.

Al Schaeffer requested conditional use and construction permits for a 16'x24' cabin in the SE1/4 3-138-102. The property is zoned agricultural and is requesting a conditional use permit to allow the cabin on agricultural zoning. Cathy Cerkoney moved to approve the permits but only for this one cabin. Connie Kasian seconded. All voted aye.

Chimney Butte Land Company LLC applied for a conditional use permit for an 80-100 acre solid waste disposal facility/special waste landfill in portions of W1/2 4-143-99, NE1/4 5-143-99 & SE1/4 32-144-99. Facility will serve the solid waste disposal needs of the oil & gas exploration industry. The property is currently zoned agricultural. Allan Thompson stated that previously all well sites had their own waste disposal pit and that practice is being done away affective April 1, 2012. Instead, all waste disposals will be in a location approved by the State. Representatives from Carlson McCain, the company proposing to build and operate the landfill were on hand to answer questions. They stated that all materials accepted are non-hazardous, no liquids are released to the environment or soil, and the site will be reclaimed and returned to agricultural use when it is no longer used. The site is monitored for 30 years after it is reclaimed. A letter of concern was received from the Forest Service, and the board reviewed and discussed the concerns they outlined. Don Heiser moved to approve the conditional use permit with the condition that the state requirements are met and approved. Paul Krush seconded. Don Heiser, Cathy Cerkoney, Connie Kasian, Paul Krush and John Tczap voted aye. Anita Kessel voted nay.

Philip Lura applied for conditional use and construction permits for a horse shelter/tractor storage building in Lot 1, Block 1 of Tetley subdivision in the NE1/4NE1/4 33-139-102. He also requested a variance to have 3 horses on the 23.95 acre tract. The property is currently zoned residential. Don Heiser moved to approve the constructions and conditional use permits. Paul Krush seconded. All voted aye. Cathy Cerkoney moved to approve the variance for the 3 horses. Connie Kasian seconded. All voted aye.

Qwain Malkowski applied for a conditional use permit and submitted an application for a 50'x100' commercial shop in the NW1/4NW1/4 22-143-99. The property is currently zoned agricultural. Roger Malkowski applied for a conditional use permit and submitted an application for a 50'x100' commercial shop in the SW1/4NW1/4 22-143-99. The property is currently zoned agricultural. This is an alternate location for the shop Qwain proposed in section 26-143-99. They are requesting approval for both sites but one will become null and void when the construction site is chosen. Don Heiser moved to approve both permits. Paul Krush seconded. All voted aye.

Lynette Bushaw, Contractor, and Kurt Kordon, Landowner, applied for a conditional use permit for a small industrial & special waste landfill within the S1/2 & the NW1/4 31-143-99. The landfill will accept materials from oil & gas exploration. The property is currently zoned agricultural. Lynette Bushaw and Kurt Kordon were present at the meeting and stated that they were withdrawing this application as it is within 6 miles of the location being proposed by Allan Thompson.

Tim Wilhelmi submitted an application for the construction of a 50'x100' shop building with living quarters in the S1/2SE1/4, SE1/4SW1/4 14-139-102. The property is currently zoned commercial. Anita Kessel moved to approve the application. Cathy Cerkoney seconded. All voted aye.

James & Leona Odermann applied to rezone approximately 5 acres in the SE1/4 21-141-99 from agricultural to recreational and to place 2 guest cabins on the site. Anita Kessel moved to approve the request. Connie Kasian seconded. All voted aye.

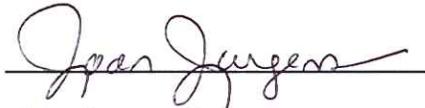
The board discussed a letter from SW District Health regarding a sewer inspection and some concerns with free-standing propane tanks at the MBC Properties campground south of Medora.

Additional discussion ensued concerning the Billings County Ordinance on Adult Entertainment Centers.

With there being no further business, Don Heiser moved to adjourn the meeting at 2:15 P.M. Cathy Cerkoney seconded. All voted aye.



John Tczap, Chairman



Joan Jurgens, Secretary