

### **Town of Sheridan Work/Special Meeting October 13, 2022 @ 6:00 pm (103 Hamilton St.)**

Council Members in attendance were Tammy Todd, Wade Hampton, and Rahn Abbott. Also in attendance were Mayor Mike Walter and Guest Clerk Kristi Millhouse (Town of Twin Bridges).

**Guests:** Stephanie Kruer (Town Attorney), Nancy Males, Cece Weldon, Judy Edwards (council candidate), and Tom Roberts (Council Candidate)

Mayor Mike Walter called the meeting to order at 6:02 pm with the pledge of allegiance. Mayor Walter commented that there will be two meetings tonight. The first will be a special meeting to fill the vacant council position and then they will break into a work session which will not have any public comment.

#### **Special Council Meeting**

***Appointment of Council Member:*** Mayor Mike Walter read the first letter of interest in the council position from Judy Edwards and then read the second letter of interest from Tom Roberts. After each letter was read Mayor Walter gave the Council an opportunity to ask each candidate questions.

Tammy Todd asked Judy Edwards how long she has lived in Sheridan. She answered she bought her house in 2000. Previously lived in Three Forks.

With no further questions from the Council, Mayor Walter called for a motion to approve a candidate. Tammy made a motion to appoint Thomas W. Roberts as our new council member. Wade Hampton seconded the motion. Mayor Walter asked for any further questions. With no further questions, Mayor Walter took a vote. Motion passed with a unanimous vote. Tom is the newly elected council member. Tom took the oath of office for the council position and joined the council for the work session meeting.

Wade made a motion to adjourn the meeting at 6:12 pm. Motion passed, and the special meeting was closed.

#### **Work Meeting started at 6:12 pm.**

Mayor Walter put the Madison County Planning Board recommendations together for the proposed subdivision in Sheridan and provided the information to each council member. He recommended to each council member to go through all the information they have received and put their questions together for Monday night's special council meeting. The meeting will be at 6:00 pm in Virginia City and will be recorded with the Counties Webex program. The engineers for the County and the Developer will be there to answer questions. Mayor Walter is also going to invite Dale Bieroth to the meeting as he is the representative for Sheridan on the Madison County Planning Board. The Council does not have to approve the subdivision in one night.

Town Attorney Stephanie Kruer commented that she agreed with Mike and that the Council should have all of their questions together. The Council has all of the information that they need to help make a decision such as their growth policy, subdivision regulations, planning board's recommendations, and all of the public comments. The Council does not have to open the decision-making meeting to public comment because it is not a Public Meeting. There have already been two public meetings held when the subdivision was reviewed by the planning board. It's important for the public and the council to know what the next steps are. The Council can add to the planning boards finding and facts. The Council will approve or deny the plat application.

Council member Tom Roberts, asked if the latest subdivision regulations is from 2018? Is that correct? Yes, it is the most current regulations.

Tom Roberts asked if they could do a contingency if the meeting goes late into the hours. Attorney Kruer stated that we can probably ask for a contingency, but the developer has already given the Town two extensions. The developer would probably give the Town a couple more weeks. If there is new information that is substantial and could also change the decision then there could be a delay in the decision. The new information would have to go back to the Planning Board for their review and then public comment again.

Tom asked if the Planning Board's subdivision regulations is a template the Town can amend. Stephanie answered yes. He also asked if the council needs to be able to site MCA and the subdivision regulations. That is helpful but Attorney Kruer will be at the meeting on Monday to help with this.

Tom also asked if there is not expertise available one Monday that would help the council make a decision, can we request that. Yes.

Mayor Wlater commented that Jerry Grebnec with Great West Engineering and engineer for the County will do a presentation. The Developer will probably also give a presentation that evening.

Tom asked if we could do a geological study. Can we make it a condition? Because someone wouldn't be able to get it done by Monday. And who would be responsible for paying for it? Stephanie answered yes you can make it a condition and any condition the Town puts on as a requirement the developer has to pay for.

Tammy asked if there were any other tips for Monday. No.

Nancy Males asked if the meeting will on Webex on Monday since it will be in Virginia City? Yes, it will be.

Tammy asked for clarification regarding public comment on Monday – There could be public comment if there is something new if it is backed by fact? Stephanie stated that the council can solicit public comment. If it is new information, it must be something that has not been considered before and it couldn't have been considered before because nobody new about. Stephanie read the statute. If the Council feels the new information if it isn't relevant, then they do not have to anything with it or they can have the Planning Board relook at the new information if the Board would use the information for their decision.

Is there a copy of the subdivision regulations in the Town Office? There should be but it not, Mike will get one printed off. It is also located online.

Steve Dobbs asked if they had new information how is it presented to the council? Stephanie answered that the individual would have to walk into the meeting with the information and the governing body shall determine if it needs to go to the planning board. Mayor Walter commented that they will add a spot on the agenda for public comment for new information before the Council makes their decision.

Tom Roberts asked what the difference was between a Proposed Covenants and Plat Covenants. Stephanie answered that Plat covenant that is something specific on the plat that you have to have and everyone who purchases a lot in the future has to comply with plat covenant because it is on the plat

map. An example would be an SID. Other covenants like street signs, house colors, dog requirements, etc. become part of the homeowner's association.

Mayor Walter asked if there were any other questions.

Tom asked if he could share his comments with the other council members. Stephanie answered no you cannot.

Mayor Walter stated they did have some good applicants for the clerk position. Tom asked when someone would be hired in the position. It would probably be another two weeks.

Tom asked if in January and February if he can be part of the Council meetings via zoom as he will not be here. He can set it up on his end. Mike and Stephanie both said yes that would be acceptable.

Tom made a motion to adjourn the work session. Rahn seconded the motion. Motion passed with a unanimous vote. Meeting adjourned at 7:03 pm.