

MEETING MINUTES
Community & Infrastructure Solution Group
March 28, 2005
5:00-7:00 p.m.

In attendance: Kate Wilson (Chairperson), Pablo Bussi, Jeff Daniels, Jack Eakman, Dick Fast, Carla Fritz, Jon Holtzman, Steve Johnson, Al Malinowski, Dave O'Connor, Julie Pfingst.

Kate Wilson called the meeting to order. The meeting was then opened for public comment. Jeff Daniels expressed his thanks to Jack Eakman for keeping our group's attention focused on the healthcare issues of the community. Kate asked if there were any comments or changes to the minutes of the previous meeting on March 14th, and they were accepted without further comment. Steve Johnson volunteered to take the minutes.

Next on the agenda, Jon Holtzman stated that the community needed a place with some oversight authority or moral suasion to take the lead in Big Sky. He then proceeded to outline the priorities identified by the Growth & Development Solution Group. These items were as follows:

- Assure water availability. If the community is only 20% built out, will there be enough water when it's more built out? Members of the Growth & Development Solution Group are working with the Water & Sewer District and several other agencies to launch a study to evaluate this situation.
- Promote efficient traffic and transportation networks. All of Big Sky is "one big *cul de sac*" in the sense that all traffic enters and leaves by the spur road at the Conoco station. Once again, the question was posed that if the community is only 20% built out, what happens at 100%? This will involve further work with the Big Sky Transportation District.
- Preserve visual esthetics. Ridgeline protection, view-sheds, open space and dark skies were all mentioned as examples. The specific concern was that while these may be addressed on a development-by-development basis, there is no overall perspective of the entire community. A local municipal government would be able to address this concern only within its defined boundaries.
- Preserve and protect environmental quality. Land, air and water. Once again, while a local municipal government could address these concerns within its boundaries, outside of that area there could only be a "code of conduct" with no enforcement authority. Jon called the group's attention to a recent editorial in the Bozeman Chronicle (see Appendix below) concerning the lack of local municipal government in the Four Corners area and that community's inability to address significant development issues there, saying that one could substitute "Big Sky" for "Four Corners" and it would be just as correct. Specific concerns were identified concerning the river, and the Blue Water Task Force is being contracted by the DEQ with funding from the EPA to study the maximum total daily load on the Gallatin River system.

- Promote an ethic that appreciates wildlife and provides for its safety in developed areas. There is a concern that there is a growing intolerance of wildlife among some members of the community, while most people value wildlife as part of what makes Big Sky so special.
- Define the existing and projected Big Sky community. There are multiple and widely varying views of what the Big Sky community includes. The two county issue is difficult, but one that we can't walk away from.
- Establish a community structure that allows residents to affect what happens. This is largely a concern for our Community & Infrastructure Solution Group. Jon suggested that a map was needed to get a sense of the future, citing his personal experience in Reston, Virginia as an example.
- Establish an interim (and formulate a long term) authorized structure to oversee regulated growth and enforce regulations and zoning plans. Currently there is no effective enforcement.
- Enact an information exchange strategy to inform Big Sky citizens, in advance, about development plans, government oversight and the decision-making process. The Growth & Development Solution Group plans to promote a County Central Services Center as part of their action plan. Both counties appear interested in this.
- Formulate and communicate a code of good citizenship for Big Sky. The group envisions something similar to the "Code of the West" developed by Gallatin County and copied by Madison County (see Appendix below).

Jon concluded his remarks by repeating that the big missing thing is some central place for Big Sky to begin to address these priorities.

A number of questions were raised concerning "how do we know that Big Sky is 20% built out?" or "how built out is Big Sky?" Pablo responded that while specific numbers were not known, the county planning departments could compile such data. He observed that the development activity in Big Sky was typically as much as all the other county zoning districts combined.

Asked how the Growth & Development Solution Group felt about incorporation, Jon responded that they would sign off to the idea of a formalized government structure.

Next, our meeting with Ken Weaver of the MSU Local Government Center was discussed. The group noted that while Dr. Weaver appeared to be very accurate on what we could do within the constraints of existing Montana law, his comments did not address the whole problem of the Big Sky community, in the sense that the whole community spans two counties. Much discussion followed on the pro's and con's of incorporating the portion of the community in Gallatin County as an immediate first step, versus waiting for enabling legislation from the State of Montana legislative session in 2007 to incorporate across two counties. Further questions were raised regarding the need for specific legal opinion on what, if any, enabling legislation might be required.

A point was raised about preparing an informational pamphlet for the community. Comments were made favoring the idea of a county central services center, although it was again noted that this would be part of the Growth & Development Solution Group's action plan. Questions were raised concerning the possibility of a middle ground, somewhere between where the community is now, but short of incorporation.

It was observed that the community was facing an "authority/responsibility conundrum" in the sense that it appeared to want some authority to control what happens in Big Sky, but was reluctant to take on the responsibilities that come with it.

Returning to the action plan, the following major points were identified:

- The overall problem that we are trying to address is the lack of a central authority to better connect citizens with what's happening in the Big Sky community.
- We need to move the community to a decision point regarding that problem.
- To do that, a great deal of facts, information and legal details must be compiled to support a constructive dialog among the community about this decision. The '*Let's Talk Big Sky*' study circles group addressing the need for a high school here was mentioned as an example of a similar process and as an indication of the community's willingness to tackle such matters.
- This activity will take some time and it was discussed that the organization to take this on should be one formed outside of the Chamber of Commerce.
- One of the group members expressed the opinion that because of the highly charged political nature of this issue (the "I" word), the Resort Tax Board might not fund these activities.

At this point Kate had to leave the meeting and summarized by saying that a draft of our action plan would be prepared and distributed to the group prior to our next meeting on April 11th. At that meeting we must finalize our action plan. Kate departed, asking Steve to chair the remainder of the meeting.

Jeff Daniels next proceeded to make his action plan recommendations for our consideration. He suggested commissioning a healthcare needs analysis to better understand the nature and growth of this important community service. Such a study could be done by a consulting firm such as the New Heights Group of Santa Fe, New Mexico at an approximate cost of \$20,000. Dr. Daniels would be willing to fund half of this cost and an application to the Resort Tax Board would be made for the other half. There was much discussion regarding the various entities involved in delivering healthcare services in Big Sky and the market forces at work. The results of such a study would provide the community with a basis to negotiate with other local healthcare services, principally Bozeman Deaconess Hospital, about how healthcare services should best be made available to the Big Sky community.

The next meeting was scheduled for Monday, April 11th at 5:00pm at the Water & Sewer office. Kate will confirm the location. Steve adjourned the meeting at 7:00 pm.

Appendix

Bozeman Daily Chronicle editorial

<http://bozemandailychronicle.com/articles/2005/03/11/opinions/01fourcorners.txt>

OUR OPINION: County must break Four Corners stalemate

By Chronicle Editor

Gallatin County commissioners' rejection of a second water and sewer district at Four Corners -- and the ensuing acrimony voiced by that district's proponents -- underscores what a murky mess (pun intended) has developed in this beleaguered area. And it demonstrates the kind of havoc the lack of local government can wreak on a rapidly developing area.

Commissioners Bill Murdock and Joe Skinner voted down area residents' request to form the district, saying they wanted to give an existing water and sewer district -- formed several years ago by developers -- a chance to work.

That district excluded all but a handful of big players from participating in the district's formation, though the developers who formed the district promised to provide service for everyone in the area once it is up and running. But the excluded landowners fear managers of the earlier district will gouge newcomers to the district with exorbitant rates.

Approving the second district would certainly have complicated an already complex issue, and competing districts within the same area could threaten the financial viability of both. But perhaps things should have never gotten to this point in the first place.

This much is certain: With real estate development moving ahead at a breakneck pace, everyone in Four Corners has an interest in adequate sewage treatment and disposal. The dense patchwork of individual septic systems, which is growing by the day, will inevitably contaminate groundwater. And when that happens, everyone loses -- developers and individual landowners alike.

Four Corners' growth has been fueled by home buyers and builders seeking freedom from the regulation that goes with living in a municipality. That mindset has so far stifled efforts at forming a local government. And it has contributed to the suspicion and rancor between the competing sewer district efforts.

But, in the absence of local government, the county must provide the leadership to prevent the destruction associated with overly rapid development.

County commissioners need to work out the differences between these competing sewer districts, find a way to guarantee landowners they will not be gouged by the developer-controlled sewer district and get everyone behind the same effort.

Perhaps with the help of the nonprofit Community Mediation Center, the county can break this stalemate at Four Corners before it's too late.

Gallatin County "Code of the West"

<http://www.co.gallatin.mt.us/code.htm>