

RESOLUTION NO. 2008- 101

**A RESOLUTION OF THE GALLATIN COUNTY COMMISSIONERS
ESTABLISHING THE GRAVEL PIT TASK FORCE**

THIS RESOLUTION was introduced by Greg Sullivan, County Planning Director and Heidi Jensen, Belgrade City-County Planning, moved by Commissioner White, seconded by Commissioner Skinner. This resolution was adopted unanimously and is effective immediately.

WHEREAS, the mining of sand and gravel and the processing of sand and gravel materials into concrete or asphalt contributes to the economic prosperity of the people of Gallatin County and is a critical resource in the physical development of the communities of Gallatin County; and

WHEREAS, the mining of sand and gravel and the processing of sand and gravel materials into concrete or asphalt has impacts on the health, safety, and general welfare of the people of Gallatin County; and

WHEREAS, reasonable regulation of operations that mine sand and gravel and operations that mix concrete or batch asphalt can mitigate these impacts to the health, safety and general welfare of the people of Gallatin County; and

WHEREAS, on April 16, 2008 a facilitated discussion was held by owners of gravel operations that mix sand and gravel or mix and batch asphalt, Planning Board Members and neighbors of proposed gravel pits that may mix sand or gravel or mix and batch asphalt on a draft of the proposed Gallatin County Interim Zoning District, Regulation and Map regulating operations that mine sand and gravel and operations that mix concrete or batch asphalt; and

WHEREAS, on May 7, 2008 the Gallatin County Commission, after notice, public hearings and consideration of testimony from citizens, adopted Resolution 2008-053 establishing an Interim Zoning Regulation for Operations that Mix Sand and Gravel or Operations that Mix Concrete or Batch Asphalt (Interim Zoning Regulation); and

WHEREAS, the Gallatin County Commission directed a committee be established to investigate sand, gravel, asphalt and concrete resources and operations throughout Gallatin County and to study methods for mitigating the impacts of these resources, and, if necessary, propose revisions to the Interim Zoning Regulation and make recommendations to the Gallatin County Commission on long term strategies for ensuring operations that mine sand and gravel operations that mix concrete or batch

asphalt are conducted in a manner that ensures compatibility with existing neighborhoods and environmental resources.

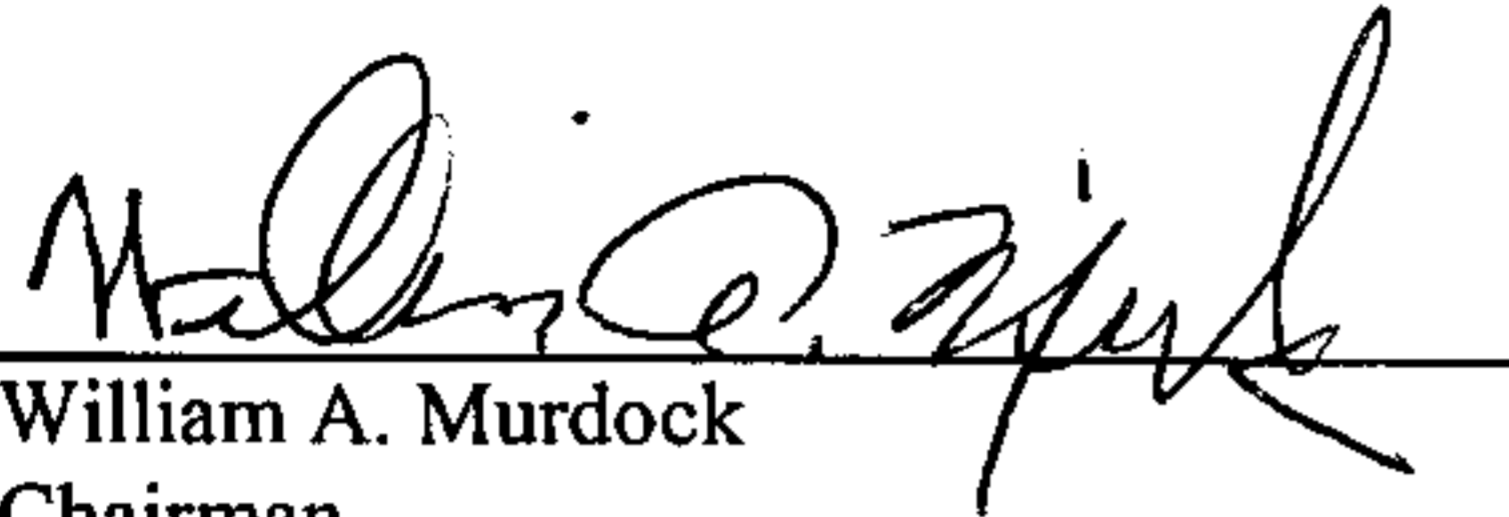
NOW THEREFORE BE IT ORDERED AS FOLLOWS:

1. The Gallatin County Commission hereby establishes the Gallatin County Interim Zoning (Task Force).
2. The Task Force shall consist of seven members, all to be appointed by the Gallatin County Commission: one member from each of the three Planning Boards: (the County Planning Board, the Manhattan Town-County Planning Board and the Belgrade City-Country Planning Board), two members from the sand, gravel, asphalt or concrete industry; and two at large appointees that are citizen neighbors of existing or proposed sand, gravel, asphalt or concrete operations, the members shall be appointed for the length of the Interim Zoning and will be volunteers generating no expense or salaries to the County.
3. The Task Force shall abide by the attached bylaws when investigating sand, gravel, asphalt and concrete resources and operations throughout Gallatin County and studying methods for mitigating the impacts of these resources, and making recommendations to the Gallatin County Commission on:
 - a. the nature and extent of gravel resources in Gallatin County;
 - b. compatibility of future gravel operations with the adopted Growth Policies and any other related adopted planning documents;
 - c. impacts of gravel and related operations on the environment, the surrounding public and private infrastructure, and neighborhood compatibility;
 - d. long-term strategies and methods including but not limited to local development requirements and recommendations for changes to existing state and local requirements, for the operation of sand and gravel pits and concrete and asphalt operations to be more compatible with the public health and safety, the environment, surrounding public infrastructure, and adjoining neighborhoods;
 - e. the social and economic benefits provided by gravel operations to the people economy in Gallatin County; and
 - f. proposed changes, amendments, additions, and recommendations, if any, to the adopted Interim Zoning Regulation.
4. The Task Force shall complete its investigation and provide to the Commission a written report of its findings and recommendations no later than March 1, 2009.
5. Support for the Task Force operations shall be provided by staff from the Belgrade City-Country Planning Department, the Gallatin County Planning Department, and other public and private entities as deemed necessary by the Commission.

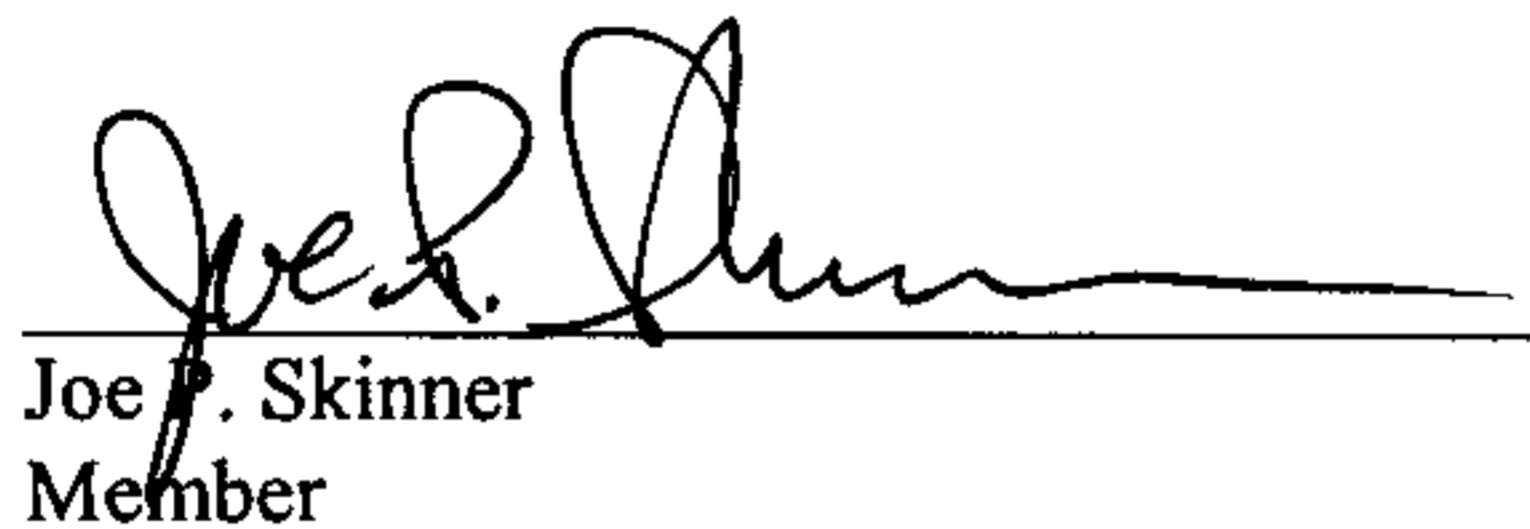
6. A professional moderator, chosen by the County Commission, may facilitate Task Force meetings. The Task Force shall meet as frequently as deemed necessary by the Task Force and support staff.

SIGNED THIS 26th DAY OF August, 2008

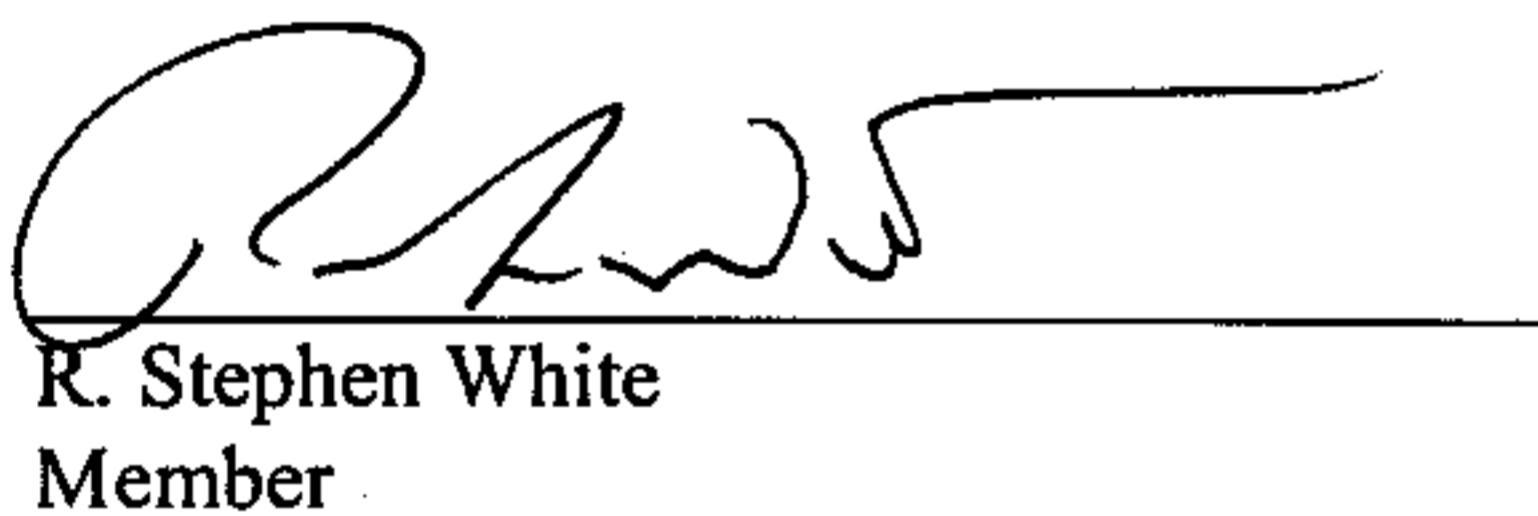
GALLATIN COUNTY COMMISSION



William A. Murdock
Chairman

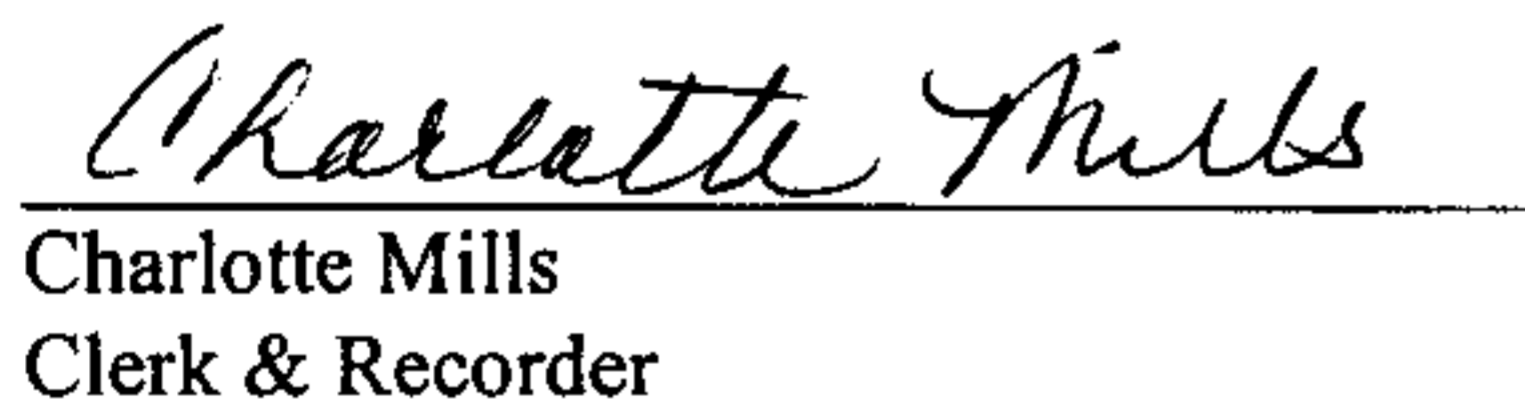


Joe P. Skinner
Member



R. Stephen White
Member

Attest:



Charlotte Mills
Clerk & Recorder

BYLAWS OF THE GRAVEL PIT TASK FORCE

ARTICLE I—CREATION

Section 1. Pursuant to Resolution No. 2008-101, adopted by the Board of County Commissioners of Gallatin County (County Commission) on the 26th of August 2008, which establishes the Gravel Pit Task Force (Task Force), the following provisions are hereby established to facilitate management of the Task Force.

Section 2. The Task Force shall comply with all Gallatin County regulations and policies, as well as with the laws of the State of Montana.

Section 3. The Task Force shall report directly to the County Commission. As authorized by the resolution, the County Commission shall appoint seven members to the Task Force.

ARTICLE II—FUNCTION AND PURPOSE

Section 1. The Task Force shall investigate sand, gravel, asphalt and concrete resources and operations throughout Gallatin County and study methods for mitigating the impacts of these resources and, if necessary, propose revisions to the Gallatin County Interim Zoning District, Regulation and Map Regulating Operations that Mine Sand and Gravel And Operations that Mix Concrete or Batch Asphalt (Interim Zoning Regulation) and make recommendations to the County Commission on long term strategies for ensuring operations that mine sand and gravel operations that mix concrete or batch asphalt are conducted in a manner than ensures compatibility with existing neighborhoods and environmental resources. The Task Force shall then make recommendations to the County Commission on:

- A. the nature and extent of gravel resources in Gallatin County;
- B. compatibility of future gravel operations with the adopted Growth Policies and any other related adopted planning documents;
- C. impacts of gravel and related operations on the environment, the surrounding public and private infrastructure, and neighborhood compatibility;
- D. long-term strategies and methods including but not limited to local development requirements and recommendations for changes to existing state and local requirements, for the operation of sand and gravel pits and concrete and asphalt operations to be more compatible with the public health and safety, the environment, surrounding public infrastructure, and adjoining neighborhoods;
- E. the social and economic benefits provided by gravel operations to the people economy in Gallatin County; and
- F. proposed changes, amendments, additions, and recommendations, if any, to the adopted Interim Zoning Regulation.

ARTICLE III—MEETINGS AND TASK FORCE MEMBERSHIP

Section 1. Members of the Task Force shall include seven citizens as follows, each of whom shall have an equal voice.

- A. One member from each of the three Planning Boards:
 - a. the Belgrade City-County Planning Board,
 - b. the Gallatin County Planning Board, and
 - c. the Manhattan Town-County Planning Board;
- B. two members from the sand, gravel, asphalt or concrete industry; and
- C. two at large citizen members that are citizen neighbors of an existing or proposed sand, gravel, asphalt or concrete operation.

Section 2. In order to ensure that Task Force meetings are conducted in an efficient manner, the following shall be applied.

- A. The Belgrade City-County Planning Office or the Gallatin County Planning Department shall act as Secretary at all meetings. The Secretary shall:
 - a. ensure notice to the public and interested parties as required by law;
 - b. prepare agenda for all meetings; and
 - c. take and keep copies of minutes of meetings, and upon approval, make them available for public inspection.
- B. Robert's Rules of Order shall provide guidance for procedure.
- C. Agenda items shall be submitted to the Belgrade City-County Planning Office at least two weeks prior to the meeting.
- D. A majority of members constitutes a quorum.
- E. Action by the Task Force is not official unless a quorum is present and unless the action is authorized by a majority of the quorum at a regular or properly called special meeting.
- F. The Task Force shall meet as frequently as deemed necessary by the Task Force or the County Commission.
- G. A professional moderator, chosen by the County Commission, may facilitate Task Force meetings.
- H. The Secretary shall notify all members of all meetings in writing. No special meeting shall be held unless diligent efforts have been made to notify all members.

Section 3. The proper functioning of the Task Force is seriously impaired by the absence of its members. More than two unexcused absences from regularly scheduled meetings may be grounds for removal from the Task Force. A failure to inform the Secretary of the inability to attend a scheduled meeting without giving notice shall be construed as an unexcused absence. In such event, the Secretary shall contact the member and if the member is not present at the next meeting, the Commission shall be informed and removal and replacement requested.

Section 4. Minutes of the Task Force shall be taken by the Secretary or designee and shall be subject to approval by a majority of the Task Force present at a regular meeting. Upon approval, minutes shall be signed by the presiding officer and the Secretary. Until approved, minutes shall be designated as draft.

Minutes need not be detailed reports of discussion, but shall include:

- A. the date, time, and place of the meeting;
- B. names of the Task Force members present and absent;
- C. names of staff present;
- D. names of the public present;
- E. the substance of all matters proposed, discussed, or decided; and
- F. a record of the vote on all actions and the vote of each member.

Section 5. All meetings of the Task Force are open to the public in accordance with the Open Meeting laws of the State of Montana. To comply with the spirit and intent of the Open Meetings laws, appropriate public notice shall be given of all regular and special meetings. The meeting may be closed by the presiding officer where the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains, and in that event, the meeting remains open to the public.

ARTICLE IV—AMENDMENTS


Amendments to these bylaws may be made by a majority of all members upon fourteen days written notice to all members and approved by the County Commission.

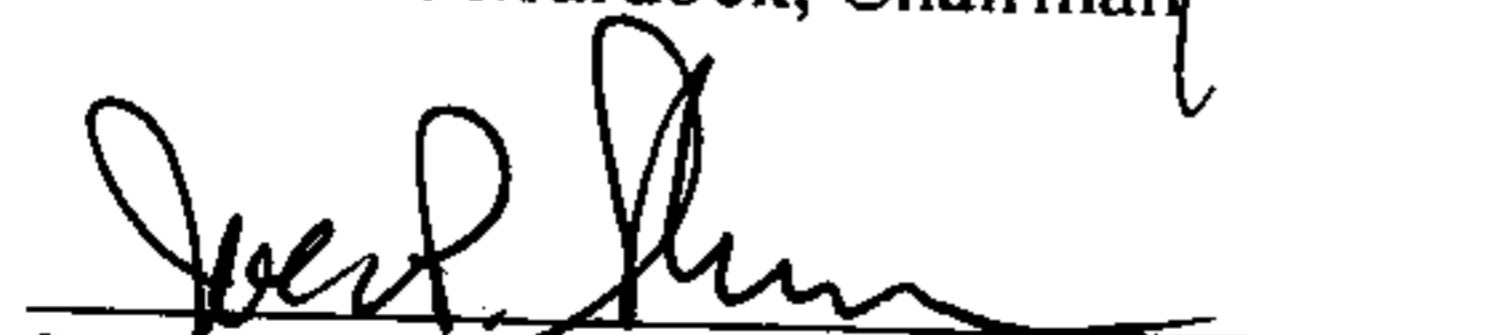
ARTICLE V—SUBORDINATION


If and to the extent any provision of these bylaws are inconsistent with or contrary to any duly adopted Montana State or Gallatin County law, ordinance or regulation, such inconsistent or contrary provision shall be null, void or of no force or effect.

Dated this 26th day of August, 2008.

Approved by the Gallatin County Commission


William A. Murdock, Chairman


Joe F. Skinner, Member



R. Stephen White, Member

Attest:



Charlotte Mills, Clerk and Recorder