

ZONING AND PLANNING BOARD MEETING MINUTES

January 15, 2026, Zoning & Planning Board meeting was called to order at 6:30PM at City Hall, located at 206 S. Main Street, Three Forks, MT.

Zoning Members present were Matt Jones, Rachael Tollison, Kelly Smith, Jacob Sebens, Reagan Hooton, Niki Griffis and Amy Laban. City Planner Randy Carpenter attended via Zoom. Zoning Consultant Lee Nellis was excused. (Zoom is a virtual meeting tool allowing people to attend remotely, which started as an option during the COVID-19 pandemic and the City has continued to offer for meetings.) There was a quorum with the attendance of seven Zoning Board members. The minutes were completed by City Clerk Crystal Turner.

Chairman Matt Jones called the meeting to order. He reminded everyone that the meeting was being recorded.

Public Present: Tom Duchen, Bob Duchen, Susan Swimley all attended via Zoom. Sarah Studt was present at City Hall.

PUBLIC COMMENT (items not on the agenda): There were no comments for items not on the agenda.

CONSENT AGENDA

Approval of the 11/20/2025 Meeting Minutes

Amy Laban moved to approve the minutes. Rachael Tollison seconded the motion.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing and Recommendation to Send a Recommendation to the City Council Regarding Chapter 16 – Public Lands Institutional

Kelly Smith moved to send Chapter 16 to the City Council. Amy Laban seconded the motion. There was no public comment.

Motion Passed Unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

A. PowerPoint Presentation on Telecommunications and Small Cell Towers, by Tom & Bob Duchen

Bob Duchen and Tom Duchen introduced themselves to the Board. They are lawyers the City has hired to draft telecom ordinance language, as they have vast experience on this particular topic. They presented a Power Point (see packet) explaining the recommendations for regulations, and showed pictures of various types of telecom underground, overhead, and small cell towers. Then they asked if anyone had any questions.

Niki Griffis asked if someone wanted to put a tower in, could the City deny it?

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Tom Duchen answered this for people putting fiber in your streets or in your rights-of-way. “If you are asking if they are putting it on your City property, that would be up to you to negotiate. Those big ones are towers. There may be sites within city limits that could house a large tower, but mostly what you will be seeing would be small cell; things companies may put on existing power poles, or even streetlamps. We may suggest macro-tower regulations in the future, but right now, if someone goes on private property and wants to install a tower, then it would be hard to regulate without these regulations,” he explained.

Susan Swimley explained this came about as her inspiration, “We don’t own much infrastructure the providers would use, but if the providers want to go in and work with Northwestern Energy to put cells on poles, we have worked to put the basic infrastructure in place to regulate moving forward.”

Kelly Smith said there have been a couple calls [to City Hall] from fiber optic companies looking to spend ARPA grant funds that are wanting to put fiber in our rights-of-way. Reagan Hooton asked if fiber is in our streets and alleys? Kelly answered yes, “One company already has fiber in our streets/alleys’ right-of-way, but that was done years ago. Now the City would have a small cell ordinance for any of the towers or poles. This would give us more control and options and has more detail than our existing ordinance, which requires a bond.” Reagan stated she believes the City absolutely needs to implement this. Amy Laban said she was overwhelmed when she first opened the document, read it and realized it was out of her wheelhouse, and think it is something that should be required and seems to need to be in a timely manner. “If these regs, as written are adopted, will we have time to tweak them? Regarding tweaking, I am thinking more from the aesthetic perspective we should adopt regulations. I just wondered if we could amend them later?” Tom Duchen answered yes. Crystal Turner said that the City’s Public Design Standards can be amended as well to include aesthetic specifics, or to incorporate cell towers in general. Kelly said she believes the Board needs to make a motion to pass them on to City Council, and added that we can read them and forward comments to the City Council.

There was no public comment.

B. Discussion Regarding Chapter 29: Adopting Regulations for the Use of the Right-of-Way by Providers of Telecommunications Services

Tom and Bob Duchen explained more detail about the draft ordinance (and the next one: Chapter 30) they have created for Three Forks.

Kelly Smith moved to take Chapter 29 Adopting Regulations for the Use of the Right-of-Way by Providers of Telecommunications Services to the City Council. Amy Laban seconded the motion.
Motion Passed Unanimously.

C. Discussion Regarding Chapter 30: Establishing Small Cell Regulations

Reagan Hooton moved to pass along Chapter 30 Establishing Small Cell Regulations on to the City Council. Rachael Tollison seconded.
Motion Passed Unanimously.

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Kelly Smith said the next meeting date would be 2/19 if that works for all.

NEXT CHAPTER(S) TO COME TO THE BOARD:

- A. Chapter 9 – Required Improvements – Enforcement** Board said not yet.
- B. Chapter 13 – Central Business District** - Kelly Smith asked, “Do we want all the same uses as existing, except reduce parking, as previously discussed?”
- C. Chapter 14 – Highway Commercial District** – Kelly Smith asked, “Do we want all the same uses as existing, except reduce parking as previously discussed?”
- D. Chapter 17 - Residential District**
The Board has seen this previously, and just had a few recommended changes at their last meeting which needed to be incorporated.

Amy Laban moved to adjourn at once. Rachael Tollison seconded the motion. Motion passed unanimously. The meeting was adjourned at 7:58 PM.