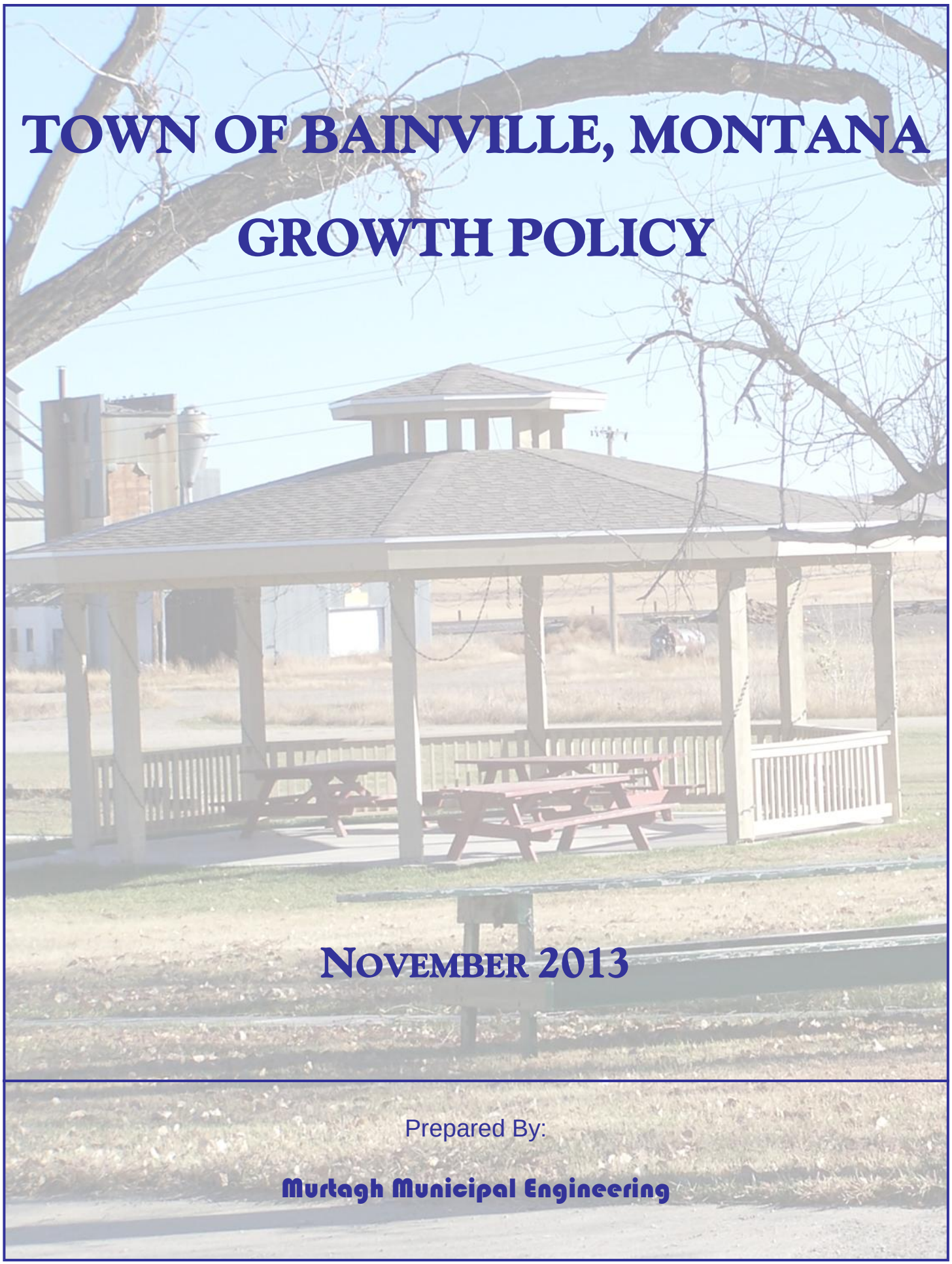

TOWN OF BAINVILLE, MONTANA

GROWTH POLICY

NOVEMBER 2013

Prepared By:

Murtagh Municipal Engineering

(MME)

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

1 - LAND, POPULATION, AND GENERAL ECONOMICS

Bainville has been an incorporated Town since 1904. Recently it has experienced extreme growth. This Growth Policy is a tool to plan for future and present growth.

1.1 GENERAL

The April 2009 publication "Montana's Growth Policy Resource Book" defines a growth policy as "an official public document adopted and used by a local government as a general guide for decisions regarding the community's physical development. It is not a regulation; rather, it is an official statement of public policy to guide growth and manage change for the betterment of the community."

This policy is arranged to first provide an overview of the physical area, and discuss population trends, economics and public opinions. The second section provides a discussion on public and local facilities and trends seen in the future for those facilities. Section 3 provides a list of goals and objectives and suggested implementation tools for each, while Section 4 discusses management of public infrastructure and subdivision review. Section 5 provides an implementation strategy for the Growth Policy itself.

It should be noted that only planning boards have the authority to prepare a growth policy. Montana statute 76-1-602 through 604 presents the basic process for adopting a Growth Policy. The Montana Code also lists the provisions that should be included in the document to qualify as a growth policy, Appendix A. The growth policy is closely linked to the Needs Survey conducted in 2013 and the Capital Improvements Plan adopted in January 2014. Those documents are considered attachments to this Final Growth Policy.

1.2 NATURAL RESOURCES AND PHYSICAL CHARACTERISTICS OF THE AREA

Bainville is an Eastern Montanan Town that has traditionally been rich in agriculture and oil resources.

1.2.1 Town Boundary, Planning Area, Topography

Bainville, MT is located in Roosevelt County, approximately 15 miles east of Culbertson, MT on Highway 2 at an elevation of 1,975 feet. Specifically the town is in Township 28N Range 58E. The north side of town is in section 27, the west side of town is in section 33, and the town center, wastewater lagoons and effluent discharge field are in section 34. The town is at Latitude 48 degrees 8' 26" North and Longitude 104 degrees 13' 15" West.

State Highway 327 comes into town from the southeast and becomes 5th Ave within the Town of Bainville. Highway 2 is north of town and travels east and west. Shotgun Creek skirts the

northeastern part of town coming in from the north, paralleling 5th Ave and then State Highway 327.

Figure 1 presents a location map for Bainville. Figure 2 presents the planning area, including 1) the existing Town limits, 2) the highest-potential growth area, which would include Town water and sewer, and 3) potential growth which would not include Town water and sewer.

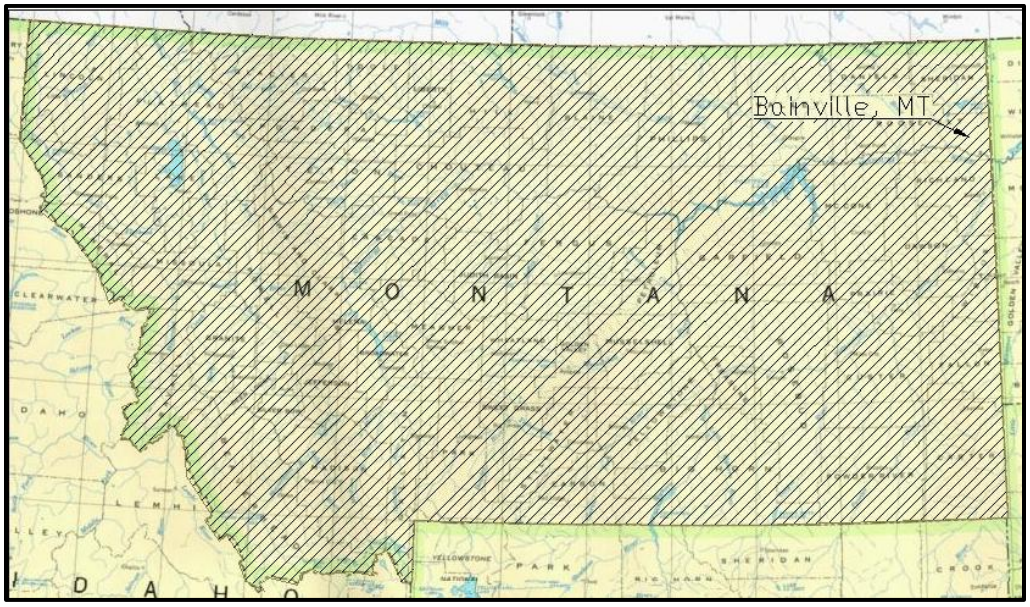

Figure 1. Bainville is located in North Eastern Montana, approximately eight miles from the North Dakota Border (University of Texas - Austin, 2013).

1.2.2 Site Topography

The town limits and study area sit at an elevation of 1,975 – 2010 feet above sea level. The landscape of Bainville is generally flat with gradual rolling hills consisting of gentle slopes. Overall, the slopes within the study area are between zero to two percent and generally slope to the east toward Shotgun Creek. The southwest portion of the town is hillier, and cannot be served by the water system as described in the Growth Policy of 2008. Figure 2 on the following page presents the USGS topographic map of the study area. The town and area surrounding the town are mainly plains. The surrounding area outside the town is primarily agricultural.

1.2.3 Site Geology

The Geologic and Structure Contour Map of the Culbertson 30' x 60' Quadrangle, Eastern Montana (2007) from the Bureau of Mines and Geology includes the Town of Bainville and identifies two types of geologic materials within the study area. The majority of geologic material consists of alluvium-colluvium (Qac) within the Town of Bainville and Tongue River member of Fort Union formation (Tftr) in areas surrounding the town. See the 2013 Wastewater PER for additional information on site geology.

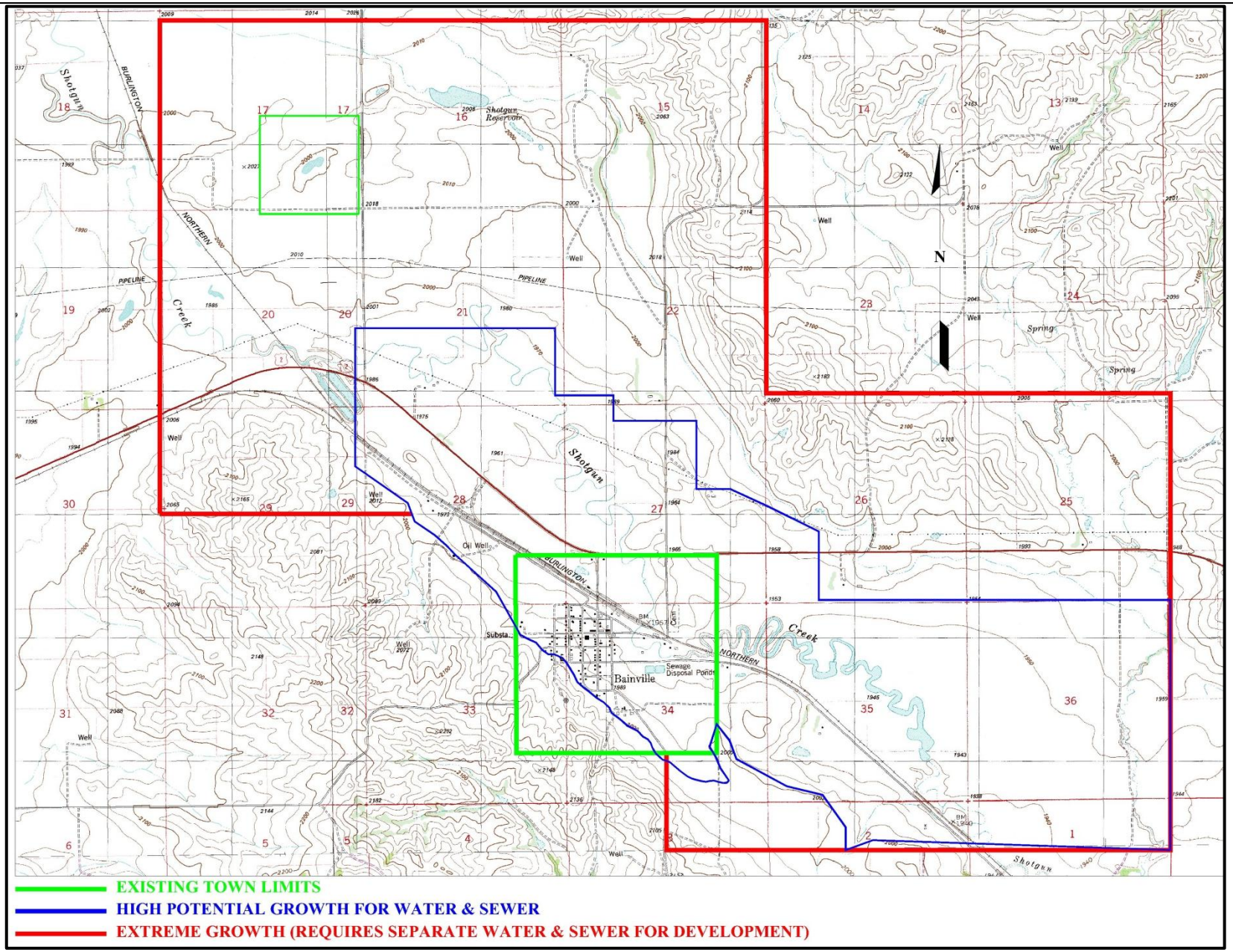

Figure 2. The planning area for the Town of Bainville, including existing Town limits, high potential growth, and extreme growth planning area

1.2.4 Soil Conditions

Six prevailing surficial soil types are documented in the study area according to the USDA Soil Conservation Service, Soil Survey of Roosevelt and Daniels County Area Montana. Characteristics of these soil types and typical slopes of occurrence within the study area are listed below:

Cherry silt loam (12), 2 to 8 percent slopes;
Farland-Cherry silt loams (17), 2 to 8 percent slopes;
Fluvaquents, saline (20), 0 to 2 percent slopes;
Havrelon loam (26), 0 to 2 percent slopes;
Havrelon-Trembles complex (28), 0 to 2 percent slopes;
Tally-Lihen sandy loams (49) 1 to 8 percent slopes (the new irrigation area is nearly all Tally-Lihen)

See the 2013 Wastewater PER for the USDA soils map for the study area.

1.2.5 Groundwater

Based on data from the Montana Groundwater Information Center (GWIC) database at the Montana Bureau of Mines and Geology, groundwater depth is variable. A 2012 geologic investigation into the area of the lagoons found groundwater depth to be roughly 8 feet, but at the north end along Hwy 327, groundwater was as shallow as 3.7 feet (at the north eastern corner). This has been of particular concern regarding recent and future expansion of the existing wastewater system.

The Wastewater PER found that the groundwater in the northwest corner of Town can be quite high. In April 2006 the engineer inspected an abandoned manhole and found standing water within three feet of the surface. That manhole is disconnected from the collection system, but it demonstrated that there is groundwater well above the sewer collection system in the Northwest part of Town.

The DNRC GWIC system was checked for wells in the area. Only two wells were found in the southern half of Section 34, where the lagoons and potential sites for land disposal of wastewater are located. The static water levels were much lower than found for areas around the Town. The wells were 156 feet and 120 feet deep with static water levels at 75 feet and 50 feet, respectively. Elevations of the well locations were 10 to 30 feet above the lagoons. Direction of flow appears to be north consistent with the land relief towards Shotgun Creek.

1.2.6 Surface Water

Bainville and the surrounding area flow into Shotgun Creek, which meanders for approximately three miles before joining Little Muddy Creek. Approximately seven more miles after this junction, these waters enter the Missouri River; the major drainage for the study area. The Missouri Basin in the area is classified as C-3. Shotgun Creek does not flow year-round, but

after checking with the State, it was found that it would not be considered ephemeral (this was a significant finding since it prevented the Town from obtaining a General Use Permit for discharging to Shotgun Creek). Little Muddy Creek, a minor tributary to the Missouri to the east, receives water from Shotgun Creek and flows year round.

The only tributary in the Bainville area is Shotgun Creek. As of April 2013, Shotgun Creek was not scheduled for any TMDL. However, due to non-degradation requirements, any discharge to Shotgun Creek would likely have very stringent ammonia and nutrient requirements.

1.2.7 Floodplains

The wastewater lagoons have been reconstructed on higher ground as a result of the 2008 construction project. The new cells, now located further south of State Secondary Highway 327, are even further outside of any potential floodplain. An attempt was made to obtain the floodplain maps through FEMA/FIRM in 2013. The area panels were found to be 3001420625A and 3001420425A, however, the mapping has not yet been completed.

Long-term residents could not recall there ever being a flood that reached the old Town or lagoon area. As can be seen on the topographic map, this area is considerably higher than Shotgun Creek, and the state road provides protection to the area.

1.2.8 Railroad

Bainville has recently become a railroad depot for unloading of frack sand. The location just to the west of the Town Limits was deemed to be optimal by Sanjel, and development of that depot was rapid. The depot and the need to have haulers for moving the sand to the oil fields was the driving force behind recent construction by Macbain Properties.

The railroad is a concern for the residents in that trains may be stationary on the tracks for extended periods, blocking the existing railroad crossing. Alternate crossings and an overpass as is found in Culbertson were addressed in the Capital Improvements Plan. There is currently an alternate railroad crossing further East of Town, but there are no safety arms or lights and the crossing is in poor condition.

1.3 Environmental Resources Present

Farming and ranching are the predominant industries in the Bainville area, along with the heavy increase in oil production. Oil production is not new to the Bainville region, where many vertical wells continue to provide high quantities of oil even without fracking. Fracking is going strong in the Bainville region, which may be the most productive area of the State, similar to Elm Coulee in Richland County. Depending on the source used, drilling is estimated to continue for another 10 - 30 years in the Bakken, if it remains profitable. Review of drilling maps show that the region is being actively drilled. The Bainville area has many wells today with over 40 in the permitting process in addition to the wells already permitted for drilling in the near future.

After the drilling stops, permanent employees will remain in the area to assist with operation and maintenance of the wells. Conservatively, there will be one permanent employee per well. This all equates to more permanent families settling in the Bainville area. Thus although the mancamp may gradually lose much of the 350 population, they do expect to keep roughly half the total housing for long-term use.

The principal agencies were contacted for historic, environmental, and biological sensitive areas surrounding Bainville.

1.3.1 Historic Sites

The Montana Historical Society was contacted for information regarding historic sites of concern. The Montana Historical Society recommended that a cultural resource inventory be conducted, in areas where there has been no previous ground disturbance, for future project sites. However, Damon Murdo of the Montana Historical Society mentioned via email correspondence (during the planning of the wastewater PER):

> *Our office can offer recommendations on what to do for cultural resources, but it is up to the lead Agency involved in the project to make the final determinations on what next steps they want to follow. Since this is just at the PER stage of the project it is probably best to wait and see what the final project design would look like before the agency makes any further determinations on whether or not they feel the project need to go forward with a cultural resource inventory or not.*

1.3.2 Biological Resources

The Town of Bainville contains a limited diversity of wildlife and habitat. The Montana Natural Heritage Program was contacted for information regarding species or concern, threatened species, and endangered species. The Montana Natural Heritage Program categorizes species of potential concern by a status of said species set forth by the U.S. Fish and Wildlife Service, U.S. Forest Service, and the U.S. Bureau of Land Management.

The Montana Natural Heritage Program identified four species of concern within the study area. All species of concern are birds. Bird species of concern include the Whooping Crane (Grus Americana) listed as "endangered" by the U.S. Forest Service, the Sedge Wren (Cistothorus Platensis) listed as "sensitive" by the U.S. Bureau of Land Management, the Nelson's Sparrow (Ammodramus Nelsoni) listed as "sensitive" by the U.S. Bureau of Land Management, and the Bobolink (Dolichonvx Orvzivorus) listed as "sensitive" by the U.S. Bureau of Land Management. Contact the Montana Natural Heritage Program for the Species of Concern maps.

1.3.3 Socio-economic/Environmental Justice Issues

The recent boom from oil production has changed the economics considerably. Considering the large number of new residents and the higher salaries and wages paid for labor, Bainville does not believe a survey would show low-to-moderate income (LMI) persons at over 50%. It is an

unfortunate reality in Bainville, as well as in Sidney, Fairview and Culbertson, those persons on a fixed income have seen no real change for the better, and have had to deal with very high localized inflation. Those who have been able to rent out rooms or land for someone to park a trailer, or who owned some land to sell have done better.

The Town has very high water and sewer usage rates. Anticipated payments for water and sewer fees from recent developers will help pay for the next expansion of the wastewater facilities.

1.4 Economic Conditions

Currently the median household income (MHI) of Bainville is rising. However a large number of residents are still at LMI levels with a small population having significant increases in their household income (thus raising the MHI). The anticipated growth in and around Bainville is expected to bring commercial business as well, providing jobs and a larger tax base.

1.4.1 Employment and Income Levels

The 2008 income study, the population was 62% LMI. The more recent study done in 2013 did not include an income study. The population is not expected to have a high LMI, due to the inflated salaries of unskilled laborers in the oil fields. However, these inflated salaries do not spread over to people on fixed incomes.

The MHI for Bainville, as determined by the 2010 Census is $45,781 per year. The median income per capita for Bainville, as determined by the 2010 Census is $21,188 per year. The Needs Survey of 2013 indicated less than 5% of the work force (in Bainville) is looking for work.

Labor force by industry according to the 2000 Census is listed in the following table.

Table 1. Bainville Labor Force per 2000 Census.

INDUSTRY	WORKERS
Agriculture, forestry, fishing, hunting and mining	21
Construction	2
Manufacturing	4
Wholesale Trade	2
Retail Trade	5
Transportation and warehousing and utilities	9
Professional, scientific, management, administrative, and waste management services	4
Educational, health and social services	14
Arts, entertainment, recreation, accommodation and food services	10

1.4.2 Taxable Values and Mils

The Town and County have seen a fairly stable taxable value of properties since 2002. Table 2 presents the taxable valuations for the Town and County. Table 3 presents the current mils.

Table 2. Bainville and County Market & Taxable Values (Romo, 2013).

YEAR	TOTAL MARKET VALUE ($)	TOTAL TAXABLE VALUE ($)
TOWN OF BAINVILLE		
2002	2,478,361	94,237
2003	2,521,032	93,323
2004	2,553,344	92,790
2005	2,656,033	94,092
2011	4,433,4637	120,685
2012	5,049,371	138,644
ROOSEVELT COUNTY		
2002	413,819,103	24,682,928
2003	410,080,503	24,301,709
2004	418,958,874	24,803,445
2005	426,195,997	24,844,319
2011	567,297,399	25,412,481
2012	638,522,963	26,511,500

Table 3. The mils for a Bainville Resident are listed below, provided by the Roosevelt County Treasurers Office (Romo, 2013).

MILS—BAINVILLE RESIDENT:	
Town of Bainville	253.52
Roosevelt County	160.78
University	6
State School	95
Bainville School District	128.39
Culbertson Hospital	9.28
Total Bainville Resident:	**652.97**

1.4.3 Developers

The Town has been approached by numerous developers who indicate an interest in being annexed into the Town. A new 350-person mancamp is nearing completion just north of Hwy 2, and just outside of the existing Town limits. The developer, MacBain Properties (Montana), has signed a waiver of protest to be annexed by the Town. MacBain Properties (Montana) is also nearing completion of a 11.5 acre cell at no cost to the Town. This expansion will allow for their 350 persons mancamp as well as an additional 225 people in Bainville (200 residents and 75 out-of-Town students at 1/3rd equivalent per each student). MacBain has also connected to the Town via a 12-inch water main and a 6-inch sewer force main. The total population served by this 2013 project would be 858 people.

The current MacBain project is being strongly supported by the Town since it is being paid for, in its entirety, by a private developer. Completion is expected by the end of 2013.

Just south of the MacBain mancamp and on the south side of Hwy 2, just beyond the Town limits is planned development of a new truck stop with casino. Further east another developer is considering extensive commercial development, potentially including a hotel (but no plans have been submitted for review as of this writing). This area and the surrounding areas are all included in the overall planning area where water and sewer is to potentially be provided.

To the far northwest, about one-mile from the Town limits, annexation has been requested by a commercial development. This 160-acre area would not require water or sewer, as those systems are already included. Although not attached to the Town limits, this area may be annexed via petition. An additional 80 acres of residential area has indicated that it may also desire annexation at a later date, but is just now completing subdivision review by the County. The residential area will also have its own water and sewer system. This region is considered part of the long-term planning for the City, but not included in the water or sewer planning area.

A major reason why the area may request annexation is the fact that Montana-Dakota Utilities (MDU) serves power to the Town, but not the surrounding areas outside of the Town limits. Those areas in the County outside of the Town are served by a coop, which does not have the capacity to expand to serve the new developments. By being annexed to the Town, MDU would be able to serve those areas. Thus, while water and sewer are generally the main driving force behind requests for annexation, that is not always the case around Bainville. Those developments, referred to as the Harmon Additions, are included in the planning area where water and sewer is not to be provided.

In fall of 2012 the Town was also approached by a developer wishing to construct higher-end homes on multi-acre lots far to the south and west of the City limits. However, this development has not seen any progress beyond the conceptual stage, and there has been no contact with the Town since that initial approach in November 2012. That project is not considered likely. The area is extremely hilly and would not be serviceable by water or sewer without numerous pressure zones for the water system and many lift stations for the sewer system. If that area was to develop, a new wastewater system (likely septic fields) would need to be developed by the developer or town on the Missouri River side of the ridge.

1.4.4 Projected Economic Trends

Recently there has been increased exploration and mining of oil in the Bainville area. This has produced a shift in economic resources. In the past Bainville economics were driven by the agriculture industry. Whereas now in Bainville and surrounding areas the economy is based on oil prices and oil well productivity. This means that the high number of persons in the agricultural industry of Bainville are all navigating the inflated prices that come with living in an oil 'boom', while a small number of these people are seeing positive effects by either having well and/or wells on their farmland or by renting/selling space and mineral rights to oil companies.

Bainville would like to see additional retail, light manufacturing, and agricultural product processing brought to their area. Recently MacBain Properties (a Sanjel subsidiary) has set-up a depot along the rail line bringing in frack sands. The proximity to the rail line could be used for Bainville to bring in new industries. As well as the rail line, Bainville is also the closest Montana town to Williston—the epicenter of the oil boom—Bainville may provide growth relief to that City, which has become extremely over-crowded. Bainville also generates revenue from selling lottery tickets, which has been financially productive for the Town.

If the population of Bainville continues to grow at present rates, the Town will soon be large enough to support more retail in the area. Presently, 97% of people purchase less than half of their commodities in the Town (MME, 2013). This is because there is littl opportunity to put the money back in Bainville. The population growth could be significant enough to sustain retail development in Bainville. In the 2013 NA 90% of the respondents wanted Bainville to develop new businesses with the top priorities being family restaurants, hardware store, and a grocery store.

1.5 Population and Growth

To predict future populations it is important to look at what precipitated the changes in population. The increase in the 1970s was due to increased oil exploration arising from energy shortages from that era. There has been increased exploration in the region following the energy cost spikes of 2005, though Census data does not reflect data from 2005. The influence of oil exploration is also demonstrated by the fact that Bainville's significant increase, 12%, in population of the 1970s did not correspond to the slight increase, 1%, in the County population. This would be expected since the areas of oil exploration are limited to the far eastern parts of the County.

Table 4 presents a summary of the available history of the Bainville population and the population for Roosevelt County. Recent data for the county figures are taken from Census projections (U.S. Department of Commerce, 2013). The Bainville estimate for 2010 are taken from the Census of that year (U.S. Department of Commerce, 2012), and the 2012 is based on the Council estimates noting permanent trailers that may include persons not officially counted by the previous Census.

Table 4. Population History of Bainville and Roosevelt County

YEAR	BAINVILLE			ROOSEVELT COUNTY		
	POPULATION	CHANGE RATE %		POPULATION	CHANGE RATE %	
		10-YR	Annual		10-YR	Annual
1950	356			9,580		
1960	285	-19.9	-2.20	11,731	22.5	2.05
1970	217	-23.9	-2.69	10,365	-11.6	-1.23
1980	245	12.9	1.22	10,467	1	0.10
1990	165	-32.7	-3.88	10,999	5.1	0.50
2000	153	-7.3	-0.75	10,620	-3.4	-0.35
2004	153	0.0	0.00	10,660	0.4	0.09
2010	208*		9.2			
2012	300*		46.0	10,927		5.8

**The Town put a moratorium on building construction in 2010 due to lack of treatment availability. The actual number for 2010 population was likely much higher.*

Table 5 provides a list of requests for additional housing project within the Town, including several for multi-family housing. The Town knows that even with the 2013 MacBain project, it will not be able to approve all the requests. Upon completion of the 11.5 Acre wastewater lagoon cell building will be able to continue. Based on a conservative density of three persons per unit (higher than the State average due to lack of housing in the vicinity), the Town plans to allow up to 200 more persons, and allow for about 75 more students at the school who do not live inside the Town's sewer service area (such students are counted as1/3rd equivalent, or 25 more equivalent persons). The result is about 67 more units being allowed in Town, and 75 more out-of-Town students using the school facilities during the school year.

Bainville currently has a projected population of 858 by 2015, which is its limit based on wastewater treatment capacity. This includes 350 users at the man camp, now nearing completion, and 225 equivalent users within the Town including the 75 students from out of town (those students are considered 25 equivalent users), and up to 1,258 by the end of 2023. Accordingly, the projected maximum population through 2033 is actually expected to occur sometime between 2018 and 2023, and then slightly drop. It is believed that the population will likely peak sometime within the next 5 to 10 years, then gradually decline. These projections are being made by the Town Council and Engineer, since these persons deal with development continually. They are best qualified to determine how much proposed development is likely to complete construction.

Though unlikely, ultimate growth could *potentially* reach 3,000, based on conversations with highly optimistic developers. Considering that the projection of 1,258 would constitute an 8-fold increase in population from the 2000 Census showing 153 residents, and a 6-fold increase over the 2010 population estimate of 2006, the projections are both alarming and justified.

Table 5. Pending Construction Permits from April 2013.

	Table 2.2 Pending Building (Construction) Permits						
2013	Town of Bainville	zoning permits needing sewer and water					
date	project requested	status	applicant	comments	Estimated Units		
3/28/2013	8 unit 2 story apt	approved when services available	Rob Buck		8		
3/28/2013	single family dwelling	approved when services available	Lyle Knudsen		1		
3/28/2013	2 4 plexes, 1 duplex, phase two	approved when services available	Tom Hellweg	12 units total for both phases	10		
2/18/2013	3 bdrm duplex, phase one	approved when services available	Tom Hellweg		2		
1/14/2013	2 trailers by Travis	denied for park models	Scot & Diane Panasuk		2		
1/14/2013	shop with sewer and water	approved when services available	Russell & Heather Becker	need plans	0		
12/18/2012	commercial retail center	approved when services available	Garth Harmon		7	Unsure, assume 2"	
12/18/2012	commercial bar & restaurant	approved when services available	Garth Harmon		7	Unsure, assume 2"	
11/14/2012	rv/build house	approved when services available	Luis Lopez		2		
10/8/2012	2 duplex units	tabled	Bainville Homestead Properties	need parking design/flood issue	4		
10/8/2012	4 4-plex units	tabled	Bainville Homestead Properties	need parking design/flood issue	16		
10/8/2012	double wide	approved when services available	Terry Sandvik		1		
10/8/2012	guest house	approved when services available	Adel LaCounte		1		
8/13/12	single family dwelling	approved when servuices available	Luke Romo		1		
(? 2012)	trailer house	approved when services available	Tommy Johnston	need to determine location	1		
12/18/2012	3 single family homes	approved when services available	Ron Slade		3		
10/11/2011	2 mobile homes	approved when services available	Cynthia Scot		2		
9/12/2011	shop/commercial	approved when services available	Luke Romo		0		
6/13/2011	modular home	approved when services available	Kent & Val Bjorge		1		
6/13/2011	modular home	approved when services available	Kent & Val Bjorge		1		
6/13/2011	single family dwelling	approved when services available	Terry Sandvik		1		
6/13/2011	office building w/ studio apartment	approved when services available	Dave Bachmeier		2		
6/13/2011	single family dwelling	approved when services available	Sharee Teubert		1		
3/14/2011	trailer house	approved when services available	Tyler Traeger	need to see plans	1		
2/23/2011	4 homes	approved when services available	Bob Beery	need to see plans,used 8	4		
2/23/2011	laundry service	approved when services available	Scot & Diane Panasuk		7	Unsure, assume 2"	
12/13/2010	2 mobile homes/1 approved	approved when services available	Scot & Diane Panasuk		22		
(? 2010)	20 space mobile home park	approved pending design	Parks Limited/Alan Spencer		20		
(? 2010)	additional teacher housing	approved pending design	Bainville School	need to see updated plans	8		
				Total	136		
				Persons/Unit	3		
				Total population	408	equiv users	
	Note that this does not include the 375 persons anticipated at the MacBain mancamp						

Renee Rasmussen, the Superintendent of the Bainville School, reported that the school's population, grades K-12, has more than doubled since the 2007-2008 school year; 67 students in 2007-2008 to 154 for the 2012-2013 school year. Located only 26 miles from Williston, ND, the mecca of the oil boom, many families want to settle in Bainville. Renee also mentioned that the school is conservatively expecting 200 students in two to two-and-a-half years, but that number could easily reach 300 students if all new developments are successful.

Using the above assumptions, Table 6 shows the projected population of Bainville through the 20-year design year.

Table 6. Bainville Population Projections developed by the Town Council and Town Engineer.

YEAR	POPULATION	EQUIVALENT SCHOOL FROM OUT OF TOWN	EQUIVALENT POPULATION
2012	295	15	300
2015	828	40	853
2020	1450	50	1500
2033	1250	50	1300

1.6 Housing

A comprehensive Needs Survey was conducted in late 2013. This survey asked important questions about the conditions of existing homes in Bainville. While there was a definite need for improvements, a relatively low priority was given to Housing when compared with water, wastewater, and road needs. Concerning housing, 60% of Bainville residents thought housing conditions were average and 30% thought the housing in Bainville was below average. See the Needs Survey for a detailed evaluation of housing conditions as indicated from the survey.

However, there is a shortage of housing. There has been a moratorium on building since 2010, due to the limited capacity of the Water and Wastewater public facilities. Table 5 shows the pending and/or approved building permits. According to the 2013 Needs Assessment three-quarters of respondents said Bainville needed additional low-cost housing. The same amount of respondents said that additional rental housing should be provided. Along with rental and low-income housing over half of the respondents thought Bainville should pursue elderly housing in the Bainville area.

1.7 Needs Assessment and Survey (2013)

As noted previously, a comprehensive Needs Survey was conducted in late 2013. The following three charts are excerpted from that survey. The first two represent public opinion for prioritizing needs with regard to public facilities including: recreation, infrastructure and public services.

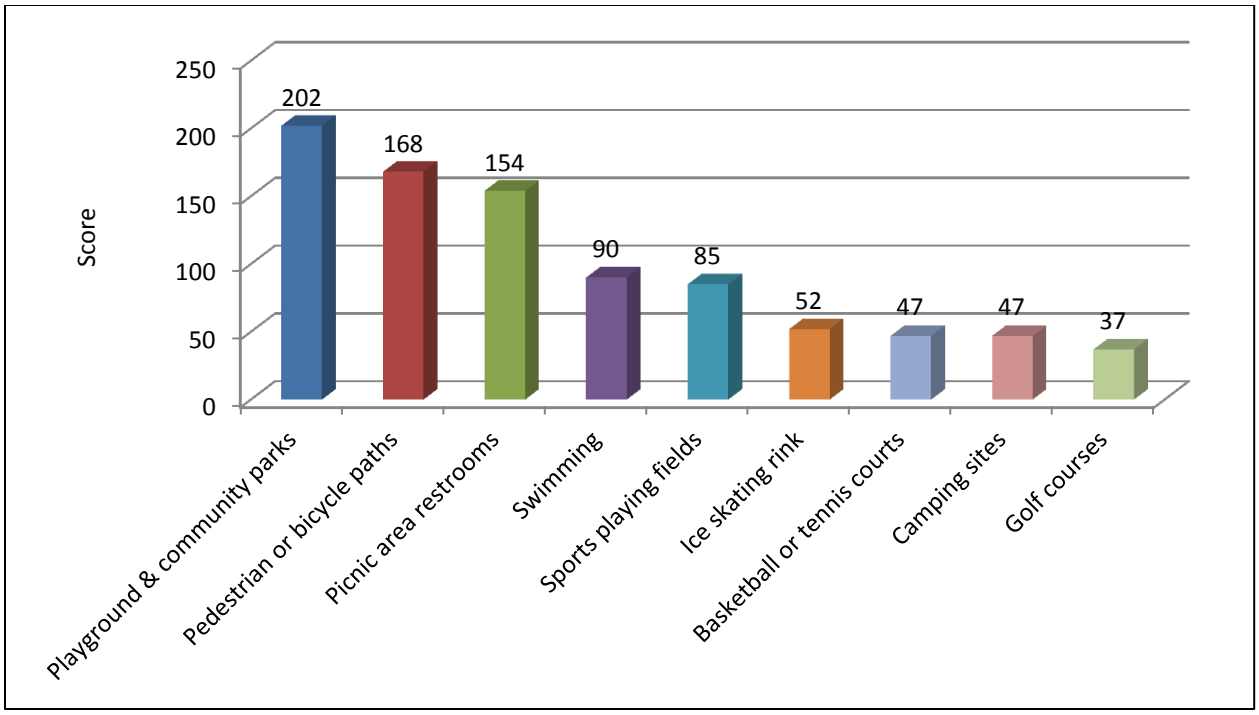

Figure 3. Top Ranking priorities for 2013 of Facilities requiring the most improvements or developments

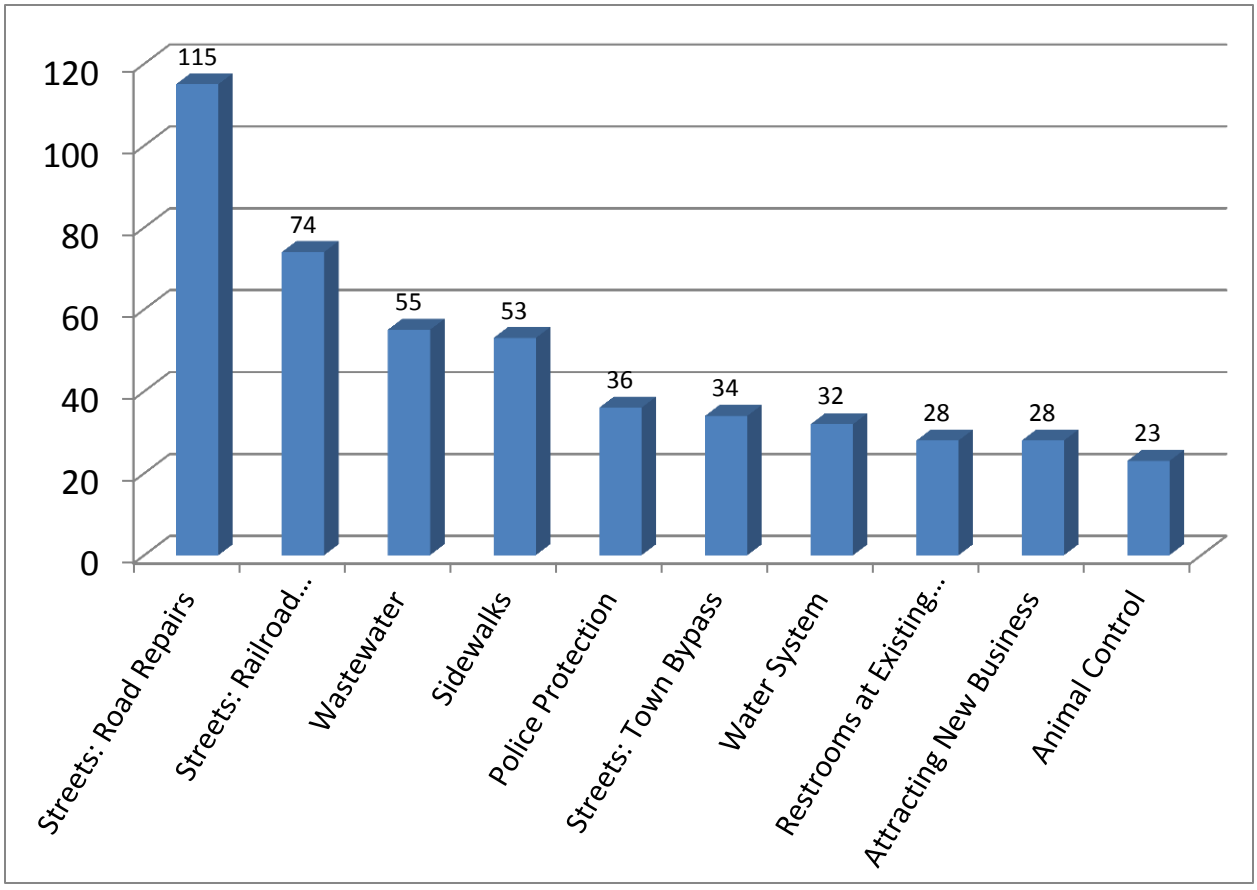

Figure 4. Top Ten 2013 Community Priorities

1.8 Commercial and Industrial

Bainville has few commercial businesses. Restaurants include Gracie's, Smokies and The Welcome Stop which is also the local gas station. The people of Bainville also have a strong interest in commercial and industrial businesses pertaining to retail, construction, agricultural product processing and a grocery store.

Before the Bakken Oil Boom there was no Industrial sector near the Town. Recently Procore Logistics LLC of Calgary, Alberta built a rail facility a mile west of Town that will offload fracking sand from Wisconsin to supply the oil fields.

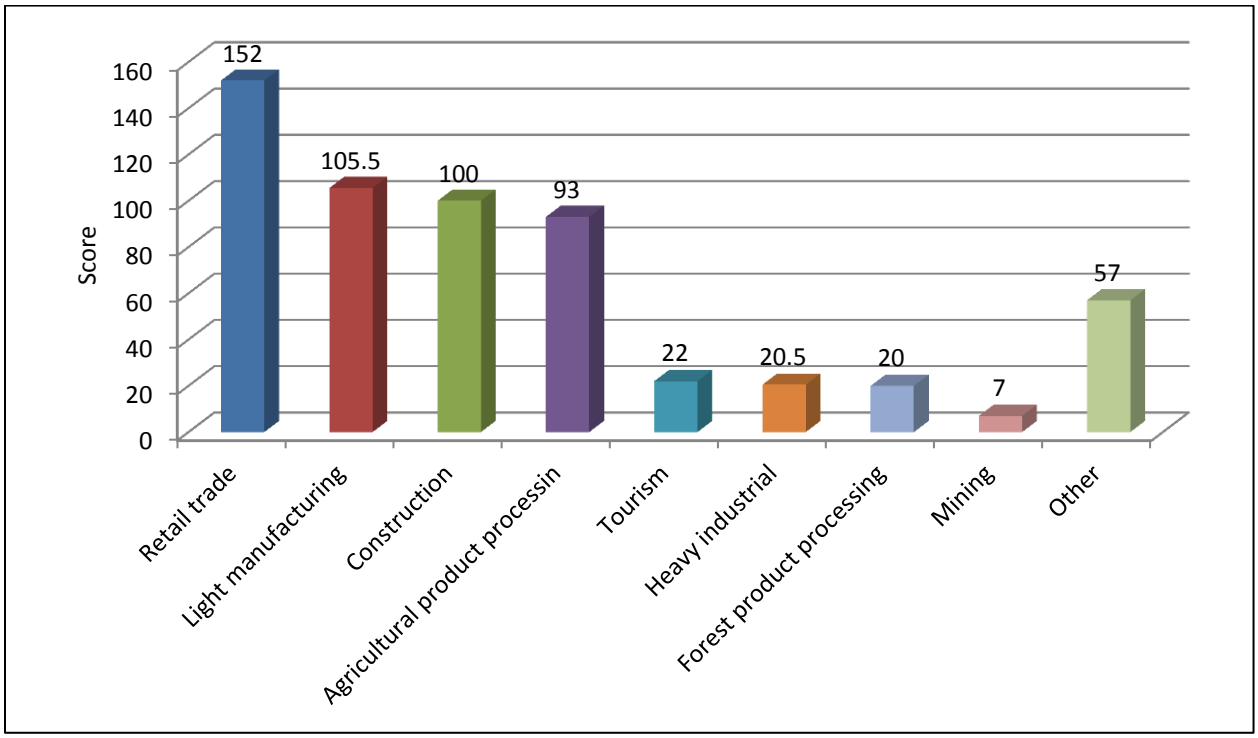

Figure 5. Types of employment opportunities Bainville residents' feel are most desirable

2 - Public Services & Facilities

The extreme and sudden growth in and around Bainville has led to undersized wastewater treatment plant, an undersized storage tank, and poor hydraulics in the water distribution system, that do not meet state and federal standards. Recently and currently a developer, McBain Properties, has agreed to add water mains, sewer force mains, and an additional lagoon to the Wastewater Treatment System. In addition to these add-ons Murtagh Municipal Engineering (MME) has completed a Wastewater Preliminary Engineering Report (PER) and is working on a Water PER for the town of Bainville.

The recent water and wastewater studies were conducted using design populations of 1,500. This is no longer considered reasonable. The current design calculation is 1,500 people. For the future wastewater expansion, expansion past 1,500 people would mark a significant increase in capital costs. For the future water expansion only minimal additional costs would incur for designing for a population of 3,000, which will be used for the water system design population.

Calculations for paying off revenue bonds should consider a conservative final population of only 1250 persons (the 50 equivalent for the school would not constitute any increase in paying customers). This is in case of a decrease in oil development. It is envisioned that any loan agency would like to see use of this conservative approach in projecting long-term financing ability

2.1 Water System

Eventually the water system could serve 3,000 persons; computer modeling will consider improvements for ease of expandability to that population number. As mentioned previously, since fire flow is the most significant factor in sizing distribution system improvements, and supply and treatment is not an issue, ease of expansion to 3,000 from 1,500 is not anticipated to be a problem, but it does need to be evaluated. It would be wise to design all water lines keeping in mind that those lines should be designed for the worst case scenario since capacity cannot be added to a water line, but rather the initial investment is lost when the line is replaced. For future pipeline sizing an equivalent population of 3,000 will be used. Since the distribution system sizing is mostly based on fire flows, this assumption during sizing will not likely have any significant impact on sizing.

The peak day usage for the current population is about 58 gallons per minute (gpm). The estimated peak day usage in 2023 is 223 gpm. The Town charges users a base fee of $41.27 per Equivalent Dwelling Unit (EDU)/month and an additional fee of $3.87/1000 gallons. The estimated current yearly income for the plant is roughly $140,000. The annual cost of operation for the water system, including previous debt payments, is roughly $121,000 per year.
Flow calculations for future growth must include actual demands at the mancamp, which will be considerably lower than for the existing community, since there are no lawns. MacBain

Properties has provided Dry Prairie Rural Water (DPRW) with sufficient evidence of low per capita usage and the average day demand of 50 gallons per capita per day (gpcd) will be used, as has been accepted by DPRW for the mancamp.

Design of the water system source water supply and treatment is based on the peak day demand. Since source water and treatment are guaranteed by Dry Prairie, growth does not significantly concern the Town with regard to supply and treatment. Water storage and distribution network (pipelines) are sized based on a combination of fire flows and peak day demand in the 2013 Water PER. Since fire flows are significantly more influential than peak day demand on sizing these components for small towns, a conservative peak day demand does not greatly alter a project's scope.

2.1.1 Abandoned Water Treatment Plant

The Town joined Dry Prairie Rural Water System in 2007 and abandoned its water treatment plant. This plant formerly served to treat water from two groundwater wells located approximately one-mile north of Town. The water is very high in iron and manganese. The municipal water treatment system included prechlorination, adsorption, dechlorination, and rechlorination. The plant had been prone to problems as noted by complaints by the users.

For this reason the residents are still very happy to have water from the Dry Prairie Rural Water System. Unfortunately, the Town had a 40 year loan on their iron and manganese removal plant, which won't be paid off for another 20 years. That plant had ceased to provide treatment for the final three years leading up to the arrival of Dry Prairie. The DPRW lacks the iron and managenese the previous water source had, which as a secondary benefit, benefits the wastewater treatment. The lack of iron in the water, and the lack of iron-laden backwash water allow the lagoons to operate longer with slower sludge build-up.

2.1.2Water Source

The Town has been supplied with water from Dry Prairie Rural Water (DPRW) since 2007. The available supply is considered adequate as DPRW has reiterated on numerous occasions that they will meet the Town's needs as per their commitment. DPRW has been providing water through use of the Culbertson water treatment plant, but has completed construction recently of the new Dry Prairie water treatment plant, in Wolf Point, and is constructing lines to bring that water to the areas currently served by the Culbertson plant. The Town has been assured by Dry Prairie Rural Water (DPRW) that it is committed to meet the Town's needs as it grows, so water supply, fortunately, is not an issue.

Presently, in the event of a fire Dry Prairie can increase flows easily to several hundred gpm if necessary. The current DPRW connection goes through a pressure reducing valve and is necked down to only 1 ½ inch pipe (with 6-inch feeding the connection and 4-inch exiting the connection).

2.1.3 Water Distribution System

The Town's water system is a lacking in pressure and storage, even for its pre-2012 population. Until this year, the Bainville water distribution system was comprised principally of 4-inch and 6-inch pipe, with some newer 8-inch pipe installed in 1998. The material of these pipes is cast iron and PVC. Development of the MacBain Properties man-camp included the construction of a new 12-inch main that extends now from 5th Avenue all the way to the man-camp, including crossings of the railroad and Highway 2. This line was sized so large due to lack of pressure in the system and need to have extremely minimal head loss so as to achieve 500 gpm fire flow (all units in the camp include fire suppression sprinklers). The water lines are primarily undersized to provided fire flows over 500 gpm. The minimum necessary fire flow, as prescribed by AWWA guidelies, for residential areas is 750 gpm.

Bainville gets its water from Dry Prairie Rural Water (DPRW). Water from DPRW enters their building located on the northeast corner of State Highway 2 and County Road 2057, and then travels through a 4" PVC pipe to Hill Avenue. The DPRW water then travels through the distribution network eventually filling the buried concrete tank.

2.1.4Storage

The Town of Bainville currently maintains one buried concrete water tank located on a hill on the southwest corner of Tubman Street and 7th Avenue. The water storage tank capacity is 108,000 gallons. The tank is old, though the actual age remains unknown (likely prior to the 1940s). Since the tank access was corrected in 2007, the only violation of DEQ requirements is the lack of a vent and lack of storage. The vent is considered something that needs to be corrected, but not an emergency since the overflow does provide ventilation. However, if the screen at the overflow was to freeze, preventing airflow, the tank could suffer damage by drawing a vacuum if it was emptied quickly, as in a fire event.

A residential fire in a tightly packed trailer court (as does exist in Bainville) would require a fire flow of approximately 1,500 gpm for a period of two hours. This would require a storage volume of 180,000 gallons. Thus, even without considering the school or meeting peak hourly demands, it can readily be seen that the storage tank does not have sufficient capacity for the existing system (even before considering any growth since 2010). In addition, it would be preferable if a new tank could be set at a higher elevation to provide consistent pressure throughout the system.

In addition to the insufficient storage, the existing tank is not at an elevation high enough to provide 35 pounds per square inch (psi) at the school's connection. The fact that the school is now using its second floor means less pressure still at the higher elevation (currently under construction). The school is only sprinklered for fire protection in the kitchen area. Although this is the most likely location for a fire to start, it can't be considered a sprinklered building in determining fire flow and fire suppression storage.

With the base of the tank at approximately 2070 feet above sea level, the service area should be roughly limited to that region below elevation 1980 ft. As can be seen from the topographic map in the previous chapter, the school is above this contour. As noted in the previous Growth Policy, no future water service connections should be permitted outside the 1980 feet contour without prior study by a licensed engineer and after the Town considers the costs involved. Permission for growth that includes water service beyond the 1980 foot contour should be contingent on the developer covering costs of any additional pumps or storage required. Actual elevations served are a range from about 1960 through 2005 feet, with the school at the highest elevation.

2.1.5 Water Storage and Distribution Goals

Goal #1: Provide consistent pressure throughout the system, above 35 psi.
Goal #2: Provide Fireflow adequate for school and Bainville residents as outlined by AWWA guidelines.
Goal #3: Reduce user rates to be closer to the Target Rate set by the MT DOC.

To meet the water supply goals outlined above the Town will need to increase storage capacity. The capacity will include water for a peak demand and a 2-hr fire scenario. In conjunction with the size of the tank, the placement elevation will also determine adequate pressure (35 psi) throughout the system. With the limited elevation gains in and around Bainville, parts of the distribution system will be resized to enable fire flows and maintain pressure throughout the system. It is also recommended that the pipes be oversized for the expected population of 1,500. There are projections that show the population increasing to 3,000 persons. Oversizing pipes is a small cost increase compared to digging trenches and running additional pipe in the near future of this remodel.

In addition to poor hydraulics throughout the water system, users are paying a combined (sewer and water) rate of over 200% of the Target Rate as set by the Montana Department of Commerce. Thus, the Town will need to continue seeking outside funding sources such as grants and again lobby the State legislature for funding assistance. In addition, it is the purpose of this study to also provide a basis for future impact fees.

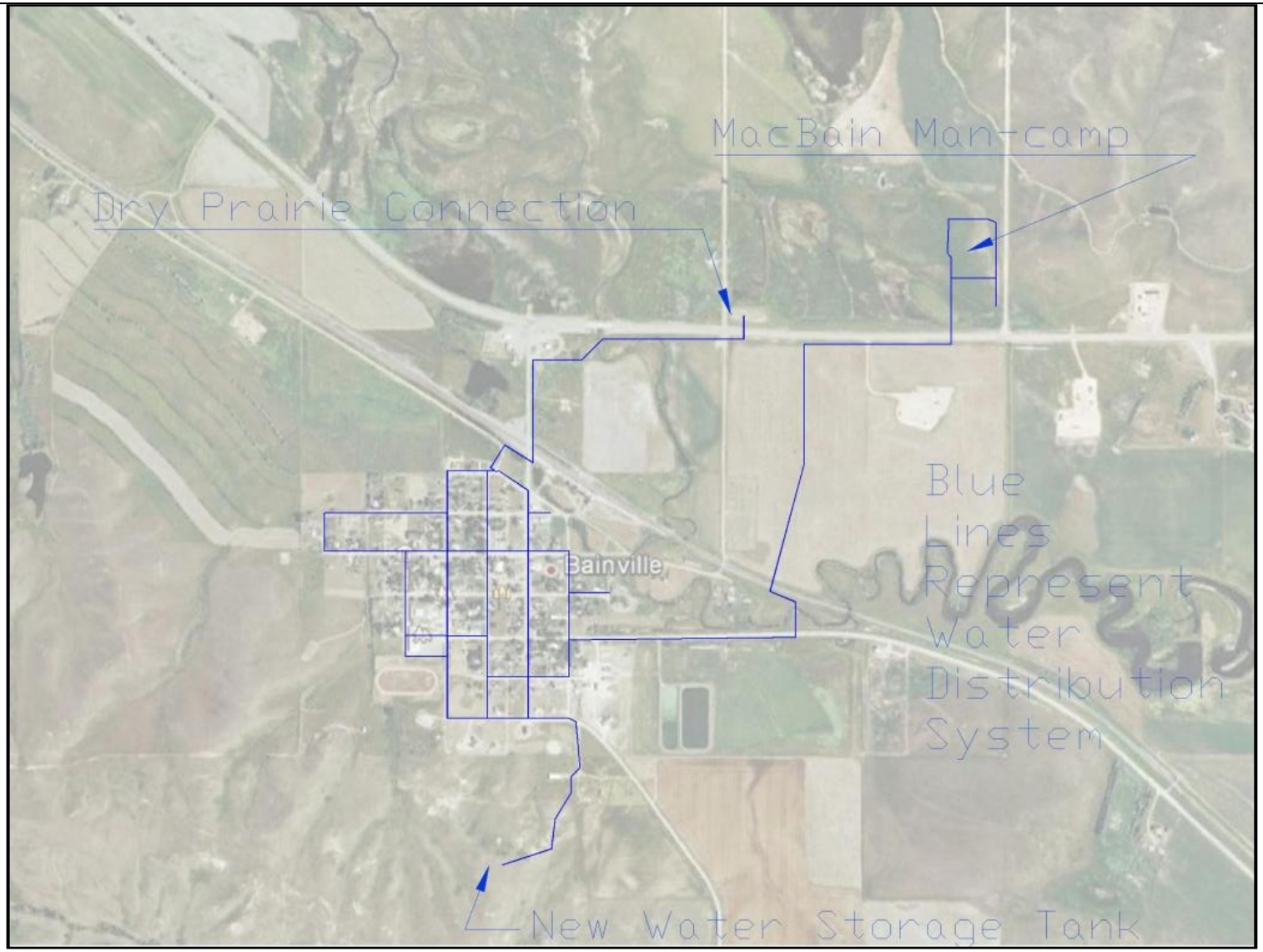

Figure 6. The proposed water system layout, including supply, storage, recent additions, and distribution system.

2.2 Wastewater System

The previous, although recent, studies were considering a design population of 1,258. This is no longer considered adequate, or practical. The economic benefit of designing for a population of 1,500 with respect to the wastewater system, and noting that using 1,500, rather than any lesser number would not be a significant change in requirements or cost of the water system, the design population will be set at 1,500. Additions beyond the 1,500 equivalent population mark will be considerably more costly for the wastewater system.

The wastewater system currently has the capacity to treat 35,375 gallons per day (a 283 person population). Upon completion of the additional 11.5 acre lagoon the treatment capacity will be more than double, about 84,000 gallons per day (an 858 person population). The Town charges users a base fee of $29.35 per EDU/month and an additional fee of $4.36/1000 gallons.

At the May 6, 2013 hearing for the wasetewater project, the Town noted strong support for using an aerated system for the next phase of expansion. This was due to the ease of expansion and the reduced odors of using an aerated system. The Town has been approached by many developers and would rather see development in-Town, rather than just outside of the Town limits. This is due to lack of tax base, but the need to support needs of county residents within the Town for things such as fire protection, streets, and parks and recreation, etc. In addition, development outside of Town would likely include less over-site of treatment facilities, which is a strong concern of the County and its Towns.

It is the general consensus of Council persons and developers alike that the Town of Bainville could grow nearly at any rate it desires, if it can provide services. Preliminary analysis of the irrigation system and storage volume show that the wastewater system capacity could fairly easily be expanded to up to 1,500 persons before additional storage and a larger irrigation site would be required. Thus growth from 856 to 1,500 is the most economical growth. Anything above 1,500 would require additional storage and a new irrigation site. Anything below 1,500 would only require two new aerated cells (the existing 3.4 acre primary cell would be converted back to its original use as a storage cell and the two small primary cells would be re-excavated and turned into aeration cells).

2.2.1 Wastewater Collection System

In 1998/9 the Town completed a wastewater improvements project that included replacing the collection main along Hill and Highway Avenues, replacing the force main to the lagoons and replacing the lift station. No study was done on the lagoons at that time.

There are no problematic sewer lines within the wastewater collection system which the Town is aware of. Expansion of the wastewater collection system is limited by natural grade. Expansion to the north of Hill and Highway Avenues will likely require individual grinder pumps or combined lift stations.

2.2.2 Wastewater Treatment System

Recently, MME completed a PER for the wastewater treatment system. During the development of the PER, MacBain Properties (a subsidiary of Sanjel Corporation) approached the Town with its generous plan for expanding the wastewater system. This wastewater improvement project is currently being funded by MacBain Properties. The project is estimated at approximately $2 million and will provide additional storage capacity and irrigation to allow for growth to a population of 858 persons.

The Town entered into a memorandum of understanding (MOU) with MacBain to carefully coordinate construction parameters, payment, and to allow for future annexation. That MOU is included in the 2013 Wastewater PER. MacBain has secured for the Town a 20-year lease for irrigating 60-acres on an adjacent landowner's property.

2.2.3Wastewater System Goals

Goal #1: Provide adequate service with room for growth in the proposed planning area.
Goal #2: Reduce odors produced by lagoons.
Goal #3: Reduce user rates to closer meet the Target Rates set by the MT DOC.
Goal #4: Continue uninterrupted service during power outages.

The goals of the Town, outlined above, are met through the completion of the recommended improvements in the 2013 Wastewater PER. The 2013 Wastewater PER concluded that two aerated cells and abandoning the small existing facultative cells was the preferred alternative. This alternative involves constructing two 0.4 acre aerated cells to the south of the existing cells. This would require a purchase of roughly 3.75 acres from the adjacent land owners to the South and would eliminate the need for facultative ponds. The existing 3.4 acre cell would be converted for use as a primary cell and revert back to its original use as a storage cell. MME expects this to be the preferred alternative to the State.

By reverting the 3.4 acre cell back to storage, this option is actually sized to serve about 20 % more than the **total** population than any other alternative, or roughly 1,500 people. This is net 50% more than the amount of population that could be served by the other alternatives. However, current projections are for 1,258. Thus if the population does rise beyond 1,258, this would certainly be the preferred alternative. The new system could be placed in the footprint of the two existing 0.95 acre cells if a land purchase agreement could be reached with the landowner.

The Town shall require that those seeking wastewater service beyond the current services to first present a study of the wastewater collection system, and negotiate the costs of providing lift and extension of sewer collectors to the property.

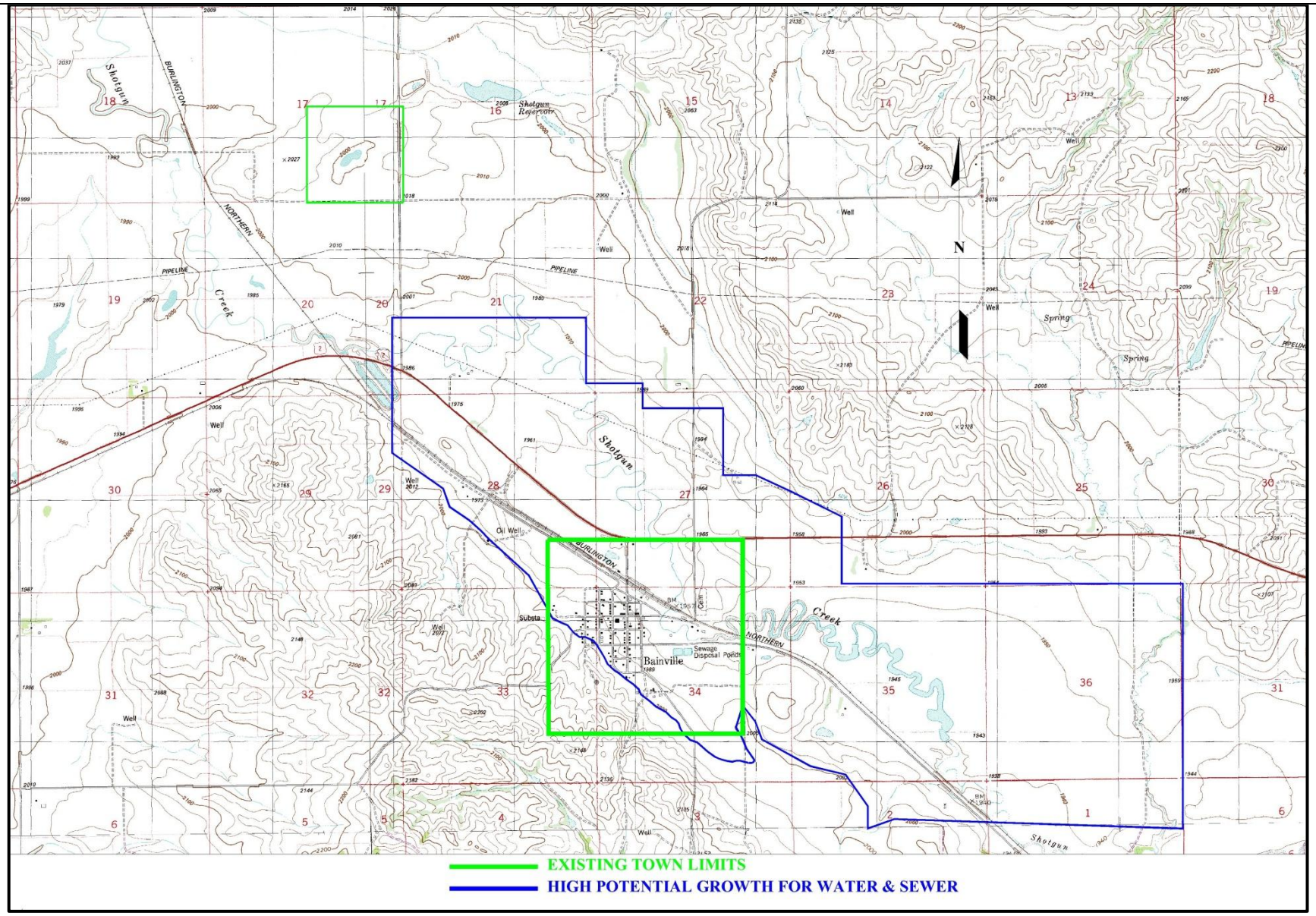

Figure 7. The water and sewer limits (blue) for the proposed Water and Wastewater Systems in the 2013 PER's.

2.3 Solid Waste

The Town currently uses a private contractor to haul waste from the Town to a public landfill outside the Town. The town collects and pays an annual fee of $45,600 to Bowker Sanitation. The waste is hauled to the Culbertson City Landfill by Bowker Sanitation. There are no plans for the Town to create its own landfill. Based on trends in the solid waste handling regulations and noting the difficulties in attempts by other Towns to create and run landfills, the Town will not be pursuing a landfill. Considering the limited number of persons in Town, it would not be efficient for the Town to purchase its own waste collection truck.

2.4 Storm Water

Storm Water has recently been a problem concerning the roads. There is currently little drainage for the storm water on road system. Drainage culverts have recently been placed and ditches re-dug. However, there is little to no crown on roadways. This prevents the egress of stormwater to the ditches. This is creating muddy and erosion of the current roadways.

Water tends to collect just north of Town in the flat floodplain area around Shotgun Creek. The highway and railroad provide barriers between the Town and the water. Residents do not recall ever feeling threatened by high water, and the floodplain is wide enough that there would appear to be a very large amount of storage per inch of water that might collect in the plains. There is no floodplain mapping available for the Bainville area.

It should be noted that in 2003, the County adopted a disaster mitigation plan for dealing with disasters.

2.5 Emergency Services

The Town provides emergency services through agreements with larger groups such as the county or rural districts.

2.5.1 Police Protection

The Town currently is served by the County Sheriff out of Wolf Point. A deputy typically attends each Bainville Town Council meeting to report on conditions and see if the Town has further needs. Recent requests have centered around two important issues:

1) Patrolling the school area as students drive to and from school and ticketing speeders.
2) Diligently pursuing better animal control.

The Town has long faced a major difficulty in conducting animal control, or enforcing any Town ordinances through law enforcement. Until late 2006 it did not have a judge or court. In January of 2006, the Council began pursuing the services of the Judge in Culbertson to provide services on one or more Fridays of every month, an effort that proved successful. In the 2013 NA animal control was rated on the top seven community priorities.

2.5.2 Emergency Medical Services

The Town has Emergency Medical Technicians (EMTs) in Town at any one time. The ambulance is through the Culbertson Hospital which is controlled through Roosevelt Memorial Hospital. Emergency calls to 911 are dispatched through the sheriff's office in Wolf Point.

2.5.3 Fire Protection

The Fire Department is a volunteer organization independent of the Town of Bainville. The Town owns one pumper truck. The Rural Fire District recently built a Fire House in the town of Bainville. The Fire District also provides an additional seven fire trucks (satellite trucks, brush trucks, quick-attack, and tender). The DNRC is also providing one Rescue truck.

Currently the fire protection provided by the water system infrastructure is inadequate at the school. Upon completion of the proposed water storage tank and expanded distribution system, 1,500 gallons per minute fire flow will be provided, consistent with the capacity of the fire districts pumper trucks. This in addition to any development of multi-family buildings built with sprinkler systems. The fire protection for the structures of Bainville will be more than adequate with future construction being sprinklered and 1,500 gpm available from hydrants.

2.6 Health Care

From the 2013 needs survey, the Town did not rank health care as a major issue. There are hospitals in nearby Culbertson and in Williston. The Williston hospital is larger and has a cancer center. The trend toward an aging population in Bainville and other eastern Montana towns may make health care a greater issue in the future. A health care plan should be instated to prepare for the future.

2.7 Interlocal Agreements and Coordination Statement

The Town has hired a part-time attorney to maintain agreements.

2.7.1 Continuing Examination of Interlocal Agreements, Existing and Future

The Town has an attorney to examine existing ordinances and interlocal agreements.

2.7.2 Coordination Statement

The Town shall continue to coordinate with the police department and fire department at regularly scheduled monthly council meetings, encouraging open and frank discussions on needs, costs, and methods of enhancing services for the greater good of the community.

The Town shall continue coordinating with the State regarding Road S-327 and the proposed bypass while continuing to pursue a second railroad crossing with the Railroad.

3 - GOALS, OBJECTIVES, AND IMPLEMENTATION TOOLS

This section looks at what the Town feels are worthwhile pursuits to best manage the Town's growth and offers some ideas as to how to meet the noted objectives. The goals should reflect the long-term vision of the community of Bainville. The intent of the objectives is short term actions that can be completed to work toward the goals of the community. Ideally as objectives are accomplished new objectives are created to further work toward community goals. The community goals and objectives are organized by:

1. Economic Development
2. Land Use
3. Transportation
4. Parks and Recreation

3.1 Economic Development

As described previously in Section 1.5, the existing workforce is mostly agricultural and ever growing oil production.

3.1.1 Economic Development Goals and Objectives

Based on the above discussions, the planning Board notes the following goals for Economic Development.

Goal #1: Attract new business, including family restaurant, hardware store, and a grocery.

Goal #2: Balance commercial development to provide a variety of goods and resources.

The objective of each of the above goals is to promote economic growth using resources available to the Town, or near it. For example, attracting new business would result in more money going back into the Town of Bainville. Keeping development within water and sewer planning boundaries will increase the Town's tax base as well as provide adequate public facilities to developments.

3.1.2 Economic Development Implementation and Tools

Bainville can attract new business by having a plan in place. The plan will include how, where, and the amount of business which is able to develop successfully. By providing a plan that is fair to all businesses, future businesses will be able to plan their establishment in Bainville and know what to expect and what is expected of them from the community.

3.2 Land Use and Land Use Elements

Land use was discussed previously in Section 1. The area is generally dedicated to dry land farming and pastures. Development in Town is limited by natural slopes. Higher elevations to the south limit pressure availability in the water system. Lower elevations to the north and east limit sewer availability in that area.

3.2.1 Land Use Goals and Objectives

Based on the above discussions, the planning Board continues identifying its goals, noting the following goals for Land Use.

Goal #1: Maintain character of Bainville: small, eastern Montana farming town

- Obj #1: Create a zoning and land management plan
- Obj #2: Mixed housing to make available to all income levels
- Obj #3: Keep well maintained and safe neighborhoods, keep away obtrusive or incompatible uses
- Obj #4: Encourage voluntary conservation easements to protect farmland and
- Obj #5: Encourage use of empty in-Town lots.
- Obj #6: Keep the commercial area distinguishable and limit growth to Main Street (Clinton St).

The objective of each of the above goals is to promote better efficiency of services and promote Town attractiveness.

3.2.2 Land Use Implementation and Tools

The Town currently has an adopted zoning policy, Figure 8, and an annexation policy (included in the appendix). Other implementation tools are conservation easements and building codes. Zoning and conservation easements are included with the Land Use tools. Building codes and annexation policies are included in tools for infrastructure in section 4. Although these tools regulate land use, this is a secondary benefit.

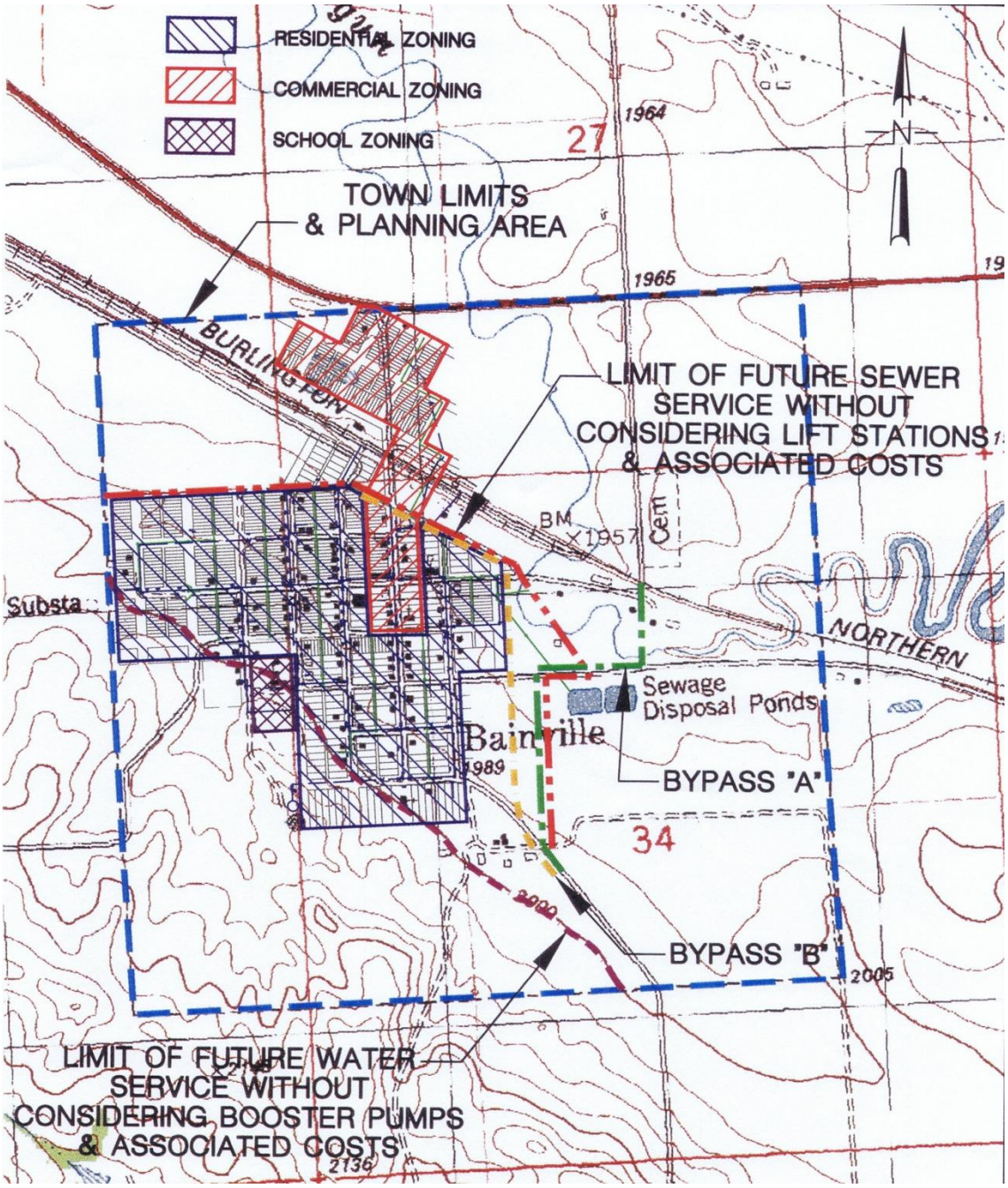

Figure 8. Current zoning policy developed in 2008 with the Growth Policy of 2007-2012.

Zoning is a method to separate incompatible land use. With the recent increase in construction, a zoning policy would give existing landowners insurance of 'proper' land use surrounding their land. Zoning also develops standards for an area, ensuring proper fire protection, and access in case of an emergency. Zoning ordinances typically include type of use, intensity of use, and space requirements for specific uses. Zoning outside of the town limits requires coordination with the county.

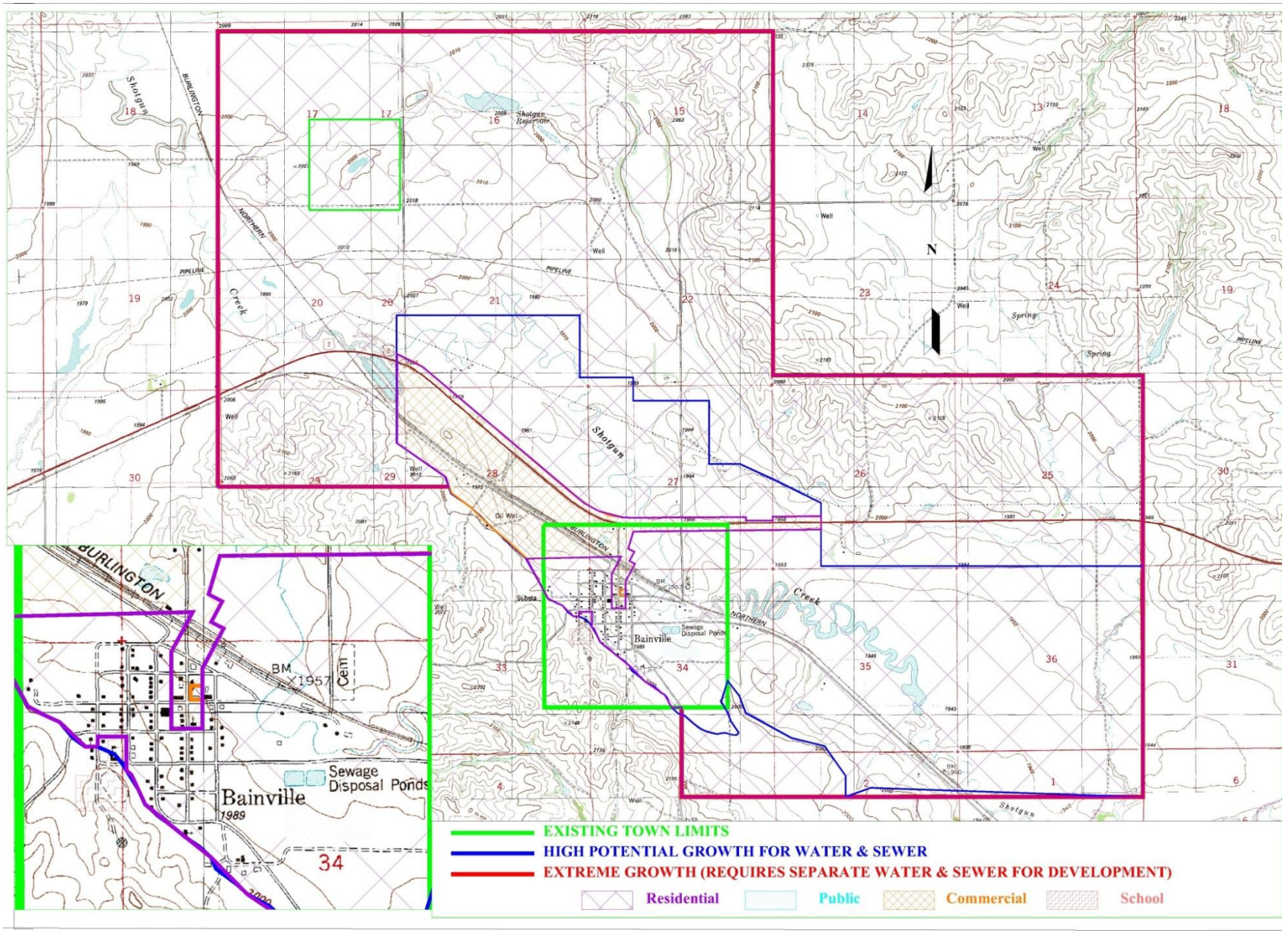

Figure 9. An updated zoning policy is needed to compliment the expanded planning area for this growth policy.

Zoning can also be used to preserve, protect, and/or promote the character of an area. An expanded zoning policy will be necessary to compliment the expanded planning boundary, Figure 9. This zoning is considered a general zoning that may or may not be adopted by the Town.

A conservation easement is a voluntary agreement between a private land owner and a public entity. The land owner retains the title of their property and the use of their property in accordance with the easement. The landowner usually receives a tax credit upon agreement of a conservation easement. These easements protect land use and expansion of land use on a property. They may preserve critical resources, wildlife habitats, sensitive areas (such as wetlands or riparian areas), agricultural land, open space, and scenic or natural resources.

3.3 Transportation

There has been much discussion in Town about the need for three major road improvements. Included in these discussions is increased maintenance of gravel roads, road paving, town bypass, and a secondary railroad crossing. Many of these improvements are expensive and challenging to find outside funding.

3.3.1 Transportation Goals and Objectives

The planning Board continues identifying its goals, noting the following goals for Transportation.

Goal #1: Maintain existing gravel roads and improve the condition of the existing gravel roads.

Goal #2: Promote the creation of a bypass to keep down dust and truck traffic through Town.

Goal #3: Construct a usable second crossing of the Railroad Tracks.

- Obj #1: Continue meeting with MDT of the benefits associated with the possible alternative shown in Figure 10.

Goal #4: Encourage paving of Town roads.

- Obj #1: Encourage tourism.
- Obj #2: Keep down dust.

The first goal could be accomplished with the added resources to street maintenance. These resources are discussed in the 2013 CIP and include an annual supply of gravel and scoria, a dump truck, and motor grader.

The objective of the second goal is to keep down dust from the numerous trucks passing through Town from State Highway S-327. This goal is also important for the safety of children who live along the current route through Town.

The objective of Goal #3 is to allow passage of emergency vehicles across the tracks when a train is stopped at the other crossing. There is also increased train traffic and stopping because of

the recent Sanjel depot located just west of the current railroad crossing. Currently it is not uncommon for a train to stop for long periods of time at the only usable existing crossing. This prevents entrance or egress from the Town. There is an existing crossing at the cemetery, but the rise is very sharp and most vehicles "bottom-out" as they cross and could easily become stuck on the tracks.

Goal #4 ranked very high on the priority list (developed in the NA 2013). However paving is very expensive, currently the Town does not have income to support these costs.

3.3.2 Transportation Implementation and Tools

The Town does not have the capacity to complete three of the four Transportation goals. The Town has contacted MDT and the Railroad, but no plans have been made to complete any of the goals. Currently MDT has hired HKM Engineering to complete a study, called Bainville South, which identifies and evaluates alternative connections between HWY-2 and HWY-327. A possible alternative of this study includes a connection East of Town that would provide both a bypass and a secondary railroad crossing accessible to the community of Bainville, Figure 10. The best tool for achieving goals two and three would be increasing communication with MDT directly from correspondence from the Town and through the Town's state Representative and Senator.

A possible tool for accomplishing goal #4 is a special improvement district (SID). A special improvement district would collect money from a district in Bainville that voluntarily decided to have their section of road paved. This district would collect monthly or yearly fees to pave and maintain the agreed upon segment of road.

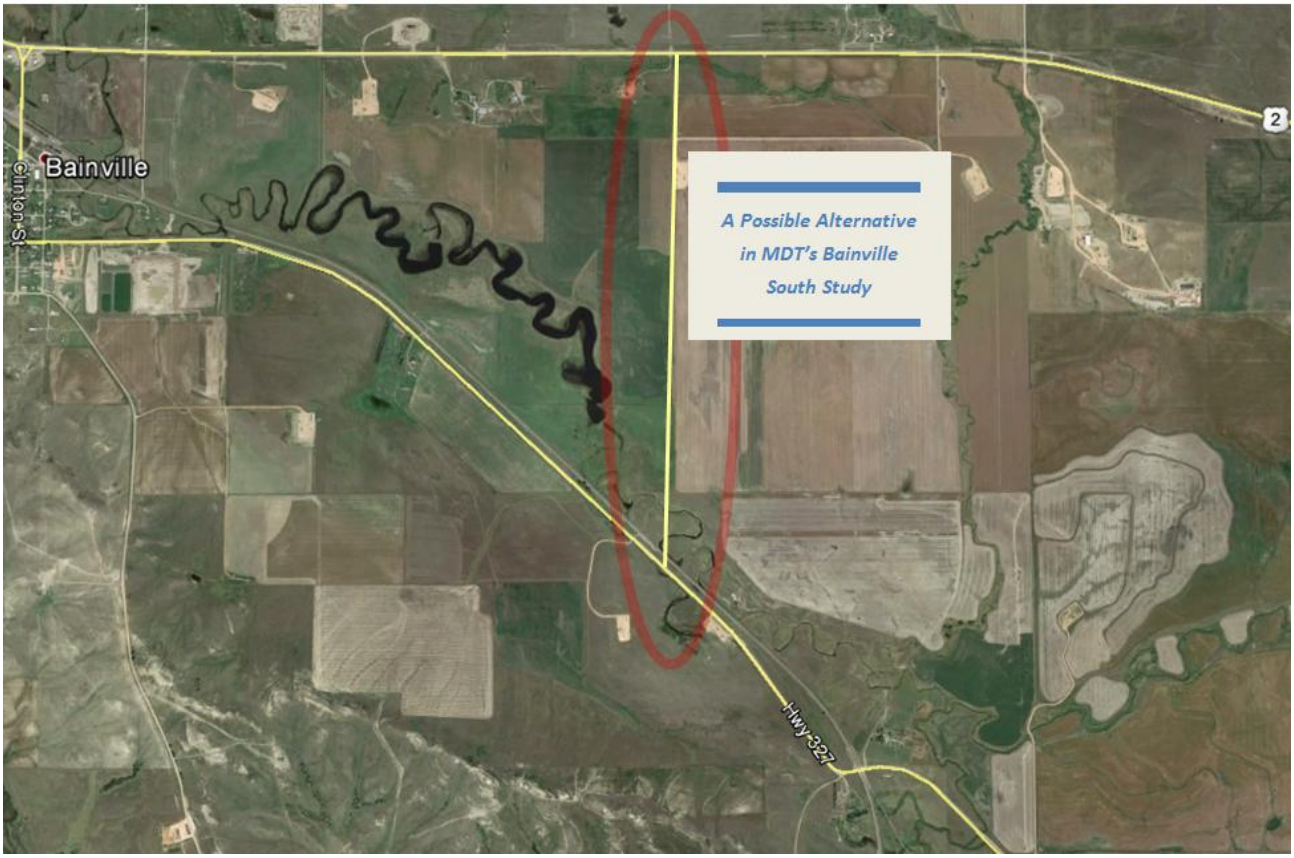

Figure 10. One possible alternative for the MDT Bainville South study would provide a Town bypass and secondary railroad crossing accessible to the Bainville Community.

3.4 Parks and Recreation

The Town of Bainville has a beautiful small park near the entrance to Town. The park includes a small railroad train that kids may ride on the Fourth of July; there is also a Gazebo and swings. The area is also sometimes used by cross-country bicyclists.

The Town used to have a library, but that small building was converted into a small computer room. The senior center is the only place where books can be borrowed.

3.4.1 Parks and Recreation Goals and Objectives

The Planning Board continues identifying its goals, noting the following goals for Parks and Recreation:

Goal #1: Add rest-room facilities to the park area.

Goal #2: Add a playground structure to the park

Goal #3: Provide water and sprinkler system to the existing park

Goal #4: Construct Sidewalks around the school to create safe passage for community youth

The objective of each of the above goals is to better promote Town attractiveness and recreational activities for all residents, young and old.

3.4.2 Parks and Recreation Implementation and Tools

The Town has water and sewer utilities along the park and these could be easily tapped for rest-rooms. The main concern with providing public rest-rooms is the upkeep and capital cost. The Town will need to hire someone to check the rest-rooms regularly during spring and summer, and to shut the facilities down in the winter.

Electricity should be fairly easy to provide to the park, potentially using the drop at the senior center and providing a separate meter for the park. As noted by the Town Council, a lock would be needed to avoid unwanted use of the outlets. The outlets could be used to enhance activities in the park and to allow better Christmas lighting.

4 - PUBLIC INFRASTRUCTURE STRATEGY AND IMPLEMENTATION

This section looks at what the Town feels are worthwhile pursuits to best manage the Town's facilities. The recent Capital Improvements Plan is the core of the Town's Operating and Development Policy for infrastructure.

4.1 Building Codes

Building codes set a minimum standard for plumbing, electric wiring, mechanical equipment, and construction materials and techniques. There is a Uniform Building Code that covers fire, life, and structural safety for buildings and structures. Currently the Montana Department of Labor and Industry, building Codes Bureau inspects buildings with five or more dwelling units. Building codes would reduce the number of substandard residents constructed in a period of construction influx. In addition, building permits would not be issued if the structure and structure use did not meet zoning regulations. Therefore, building codes would also serve as a regulatory tool for zoning regulations.

4.2 Capital Improvements Plan

In 2013 the Town updated the Capital Improvements Plan. This plan is an essential part of the Growth Policy. The CIP identifies deficiencies in the public infrastructure and provides a plan for long-term correction of problems especially concerning, water, wastewater, and streets. The CIP examined the results of the needs survey and considered state and federal requirements prior to making recommendations.

As noted previously the Town is pursuing a bypass and functional second railroad crossing. The bypass and crossing would be paid for by the State and County. The Town will explore cooperation by the Railroad regarding the second crossing.

4.3 Annexation Policy

The intent of an annexation policy is to permit the annexation of land and to provide for orderly growth, adequate provisions of municipal services, and equal benefits to both newly annexed territory and existing City properties. The annexation policy should be reviewed every one-to-five years depending on the growth of the community. A copy of the recently adopted annexation policy can be found in appendix

4.4 Subdivision Regulations

Subdivision regulations are required by Montana Law. These requirements are used for the division of raw lands into lots. The regulations provide design and infrastructure standards

throughout the division of the land. They also ensure that adequate public facilities can be supplied to the proposed division of land.

4.4.1 Review and Public Hearing Statement

Although the Town is small, it is important that the Town be ready for a developer to make significant changes in the area. This growth policy and the zoning will be an essential guide in approving a proposed subdivision.

In addition to reviewing the subdivision for meeting identified needs and goals in this growth policy, the following process will be followed prior to approval of any subdivision where over 6 lots are developed. Items 3 and 4 provide a clear statement of how the public hearings regarding the proposed subdivision will be conducted.

1) The Council and/or planning board will review the proposed subdivision and determine if it is compatible with goals set forth in this growth policy and specifically review the subdivision proposed with regard to:
    a. Agriculture,
    b. Agricultural water user facilities,
    c. Local services contribution and impacts,
    d. Natural environment impact,
    e. Wildlife and wildlife habitat,
    f. Public health and safety.
2) The Council and/or planning board will review the proposed subdivision and determine if it is compatible with the adopted zoning.
3) A hearing will be advertised for and held in accordance with the requirements in the Montana Code Annotated, latest edition (pertinent sections as of 2006 include MCA 76-1-601(2) (i), 76-3-605, and 76-3-505)
4) At the hearing the following questions, as a minimum will be addressed:
    a. How much land is involved (acres).
    b. Developer will pay for all infrastructure improvements necessary including water, wastewater, stormwater, and solid waste handling; developer aware that he will be responsible to hire an engineer to design improvements and to gain state approval and Town approval prior to proceeding.
    c. Developer will be expected to pay any impact fees associated with any required expansion of fire, police, EMT service, etc., if applicable.
    d. Expansion will be compared with established zones for water and sewer service.
    e. Developer must address stormwater impact within the subdivision and address impact downstream of the subdivision.

f. School impact will be examined.

g. Weed control must be discussed.

h. Transportation impacts must be discussed.

i. Public health and safety impacts must be examined by the developer and discussed at the hearing.

Figure 4.1 provides a comprehensive map that depicts zoning, limitations for growth due to elevations (pertinent to effective water and sewer limits).

5 - GROWTH POLICY IMPLEMENTATION

This section looks at the timeline for adopting and revising the growth policy. Implementation schedules for Town improvements are included in the Capital Improvements Plan. It is important to note that the Capital Improvements Plan is to be reviewed on a yearly basis. A copy of the most recent CIP is to be kept on-file with the Growth Policy, as the Growth Policy is not considered complete without the CIP. The results of the Needs Assessment survey should be considered prior to making any revision to this Growth Policy or the current CIP.

5.1 Timetable for Implementing the Growth Policy

The Growth Policy is a long-term planning guide. It is not updated as frequently as the CIP and therefore requires a good deal of public input prior to finalizing.

The initial Policy was first discussed in 2005 and implemented in April 2006 after public meetings and hearings were conducted to develop and implement the initial Policy. The Policy's current revision was started in April 2013. The first public hearing was October 17, 2013 where the 2013 NA, CIP, and Water PER were also discussed. The first formal meeting of the planning board participants followed the first public hearing. At that meeting tasks were established for the planning board and the general format, goals, and objectives of the 2013 GP were discussed.

A second meeting was held on November 8, 2013 where needs, goals and implementation methods were finalized. A draft copy of the Policy was forwarded to the Town in November of 2013. A digital copy and two hard copies were provided to remain in the Town office. Notifications of the existence of the draft policy are currently being placed at public buildings including the post office.

A resolution was passed in January of 2014 to accept the growth policy. The final hearing was held on MONTH DAY, YEAR for final public input on the growth policy. The presentation made at the hearing and the sign-in sheet are included at the end of Appendix A.

5.2 Conditions for Growth Policy Revisions and Timetable for Revisions

The Growth Policy is a living document in that it must change as the needs of the Town change. The policy must however, not be ambiguous or bend too easily to the whims of any one group of persons.

To ensure that the policy is reviewed on a regular basis, the Town will provide a mandatory review and revision of the policy every five years, beginning in January, 2018.

Optional revisions may be made if the following conditions occur:

1) A majority of the Town Council determines that a review is necessary (noticing changing trends in demographics or economics could precipitate such a review),
2) A new needs survey has been completed demonstrating new public goals, or

3) A written request explaining the need for a review is formally submitted to the Town Council by a citizens group or commercial entity requesting a review of the policy

Upon receipt of the request noted in item #3 above, the Council shall have three months with which to provide an in-house review and follow the review with a public hearing where those requesting the review or changes may make comments or provide a presentation. Final changes, if any, shall be made no later than three months following the public hearing.

Revisions to the Growth Policy do not require that the Town hire a consultant. Revisions do not require re-writing the policy where an addendum will suffice.

Mandatory reviews made on a five-year basis shall begin in January with review by council. A public hearing shall be held by June 30 of that year and any revisions shall be completed by September 30 of that same year.

6 - References

MME. (2013). *Needs Assessment for the Town of Bainville.* Billings, MT.

Romo, B. (2013, October 1). Roosevelt County Treasurer. (E. Wortman, Interviewer)

U.S. Department of Commerce. (2012). *Montana: 2010 Population and Housing Unit Counts.* Washington D.C.: Economics and Statisitics Administration.

U.S. Department of Commerce. (2013, June 27). *State & Country Quick Facts*. Retrieved September 24, 2013, from United States Census Bureau: http://quickfacts.census.gov/qfd/states/30/3067900.html

University of Texas - Austin. (2013, September 30). *Map Collection*. Retrieved October 11, 2013, from Perry-Castañeda Library: http://www.lib.utexas.edu/maps/montana.html

APPENDIX A—Statutes and Final Growth Policy Hearing Presentation

2005 Growth Policy Requirements per MCA Title 76

The following are excerpts from the 2005 MCA regarding planning boards and the growth policy.

PLANNING BOARDS

76-1-101. Planning boards authorized. The governing body of any city or town, the governing bodies of more than one city or town, or the governing body of any county or any combination thereof may create a planning board in order to promote the orderly development of its governmental units and its environs.

The MCA provisions for planning boards is actually very extensive. The full set of provisions of Title 76, Chapter 1 "Planning Boards" may be found online at
http://data.opi.state.mt.us/bills/mca_toc/76_1.htm
The last of the 6 parts of Chapter 1 is "Growth Policy".

GROWTH POLICY

The following provisions are the complete set of sections included in Title 76 Chapter 1 for Planning Boards, Part 6 "Growth Policy".

76-1-601. Growth policy -- contents. (1) A growth policy may cover all or part of the jurisdictional area.

(2) A growth policy must include the elements listed in subsection (3) by October 1, 2006. The extent to which a growth policy addresses the elements of a growth policy that are listed in subsection (3) is at the full discretion of the governing body.

(3) A growth policy must include:

(a) community goals and objectives;

(b) maps and text describing an inventory of the existing characteristics and features of the jurisdictional area, including:

(i) land uses;

(ii) population;

(iii) housing needs;

(iv) economic conditions;

(v) local services;

(vi) public facilities;

(vii) natural resources; and

(viii) other characteristics and features proposed by the planning board and adopted by the governing bodies;

(c) projected trends for the life of the growth policy for each of the following elements:

(i) land use;

(ii) population;
(iii) housing needs;
(iv) economic conditions;
(v) local services;
(vi) natural resources; and
(vii) other elements proposed by the planning board and adopted by the governing bodies;
(d) a description of policies, regulations, and other measures to be implemented in order to achieve the goals and objectives established pursuant to subsection (3)(a);
(e) a strategy for development, maintenance, and replacement of public infrastructure, including drinking water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities, roads, and bridges;
(f) an implementation strategy that includes:
(i) a timetable for implementing the growth policy;
(ii) a list of conditions that will lead to a revision of the growth policy; and
(iii) a timetable for reviewing the growth policy at least once every 5 years and revising the policy if necessary;
(g) a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that explains:
(i) if a governing body is a city or town, how the governing body will coordinate and cooperate with the county in which the city or town is located on matters related to the growth policy;
(ii) if a governing body is a county, how the governing body will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy;
(h) a statement explaining how the governing bodies will:
(i) define the criteria in 76-3-608(3)(a); and
(ii) evaluate and make decisions regarding proposed subdivisions with respect to the criteria in 76-3-608(3)(a); and
(i) a statement explaining how public hearings regarding proposed subdivisions will be conducted.
(4) A growth policy may:
(a) include one or more neighborhood plans. A neighborhood plan must be consistent with the growth policy.
(b) establish minimum criteria defining the jurisdictional area for a neighborhood plan;
(c) address the criteria in 76-3-608(3)(a);
(d) evaluate the effect of subdivision on the criteria in 76-3-608(3)(a);
(e) describe zoning regulations that will be implemented to address the criteria in 76-3-608(3)(a); and
(f) identify geographic areas where the governing body intends to authorize an exemption from review of the criteria in 76-3-608(3)(a) for proposed subdivisions pursuant to 76-3-608.
(5) The planning board may propose and the governing bodies may adopt additional elements of a growth policy in order to fulfill the purpose of this chapter.

76-1-602. Public hearing on proposed growth policy. (1) Prior to the submission of the proposed growth policy to the governing bodies, the board shall give notice and hold a public hearing on the growth policy.

(2) At least 10 days prior to the date set for hearing, the board shall publish in a newspaper of general circulation in the jurisdictional area a notice of the time and place of the hearing.

76-1-603. Adoption of growth policy by planning board. After consideration of the recommendations and suggestions elicited at the public hearing, the planning board shall by resolution:

(1) recommend the proposed growth policy and any proposed ordinances and resolutions for its implementation to the governing bodies of the governmental units represented on the planning board;

(2) recommend that a growth policy not be adopted; or

(3) recommend that the governing body take some other action related to preparation of a growth policy.

76-1-604. Adoption, revision, or rejection of growth policy. (1) The governing body shall adopt a resolution of intention to adopt, adopt with revisions, or reject the proposed growth policy.

(2) If the governing body adopts a resolution of intention to adopt a growth policy, the governing body may submit to the qualified electors of the area covered by the growth policy proposed by the governing body at the next primary or general election or at a special election the referendum question of whether or not the growth policy should be adopted. A special election must be held in conjunction with a regular or primary election.

(3) A governing body may:

(a) revise an adopted growth policy following the procedures in this chapter for adoption of a proposed growth policy; or

(b) repeal a growth policy by resolution.

(4) The qualified electors of the area covered by the growth policy may by initiative or referendum adopt, revise, or repeal a growth policy under this section. A petition for initiative or referendum must contain the signatures of 15% of the qualified electors of the area covered by the growth policy.

(5) A master plan adopted pursuant to this chapter before October 1, 1999, may be repealed following the procedures in this section for repeal of a growth policy.

(6) Until October 1, 2006, a master plan that was adopted pursuant to this chapter before October 1, 1999, may be revised following the procedures in this chapter for revision of a growth policy.

(7) Except as otherwise provided in this section, the provisions of Title 7, chapter 5, part 1, apply to an initiative or referendum under this section.

76-1-605. Use of adopted growth policy. (1) Subject to subsection (2), after adoption of a growth policy, the governing body within the area covered by the growth policy pursuant to 76-1-601 must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in the:

(a) authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;

(b) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities; and

(c) adoption of zoning ordinances or resolutions.

(2) (a) A growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law.

(b) A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.

76-1-606. Effect of growth policy on subdivision regulations. When a growth policy has been approved, the subdivision regulations adopted pursuant to chapter 3 of this title must be made in accordance with the growth policy.