

PUBLIC MEETING
November 27, 2001

Chair Karolin Loendorf called the meeting to order at 9:00 a.m. Commissioner Anita Varone was present. Commissioner Mike Murray was absent. Others attending all or a portion of the meeting included Jerry Grebenc, Cheryl Green, Sharon Haugen, Nick Burczyk, Richard Diehl, Rande Farrow, Robert Hudnall, Bob and Anita Kambic, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Minutes. There were no minutes to approve.

Proposed Minor Subdivision, Preliminary Plat, Monson Minor. The applicants propose to create five lots, each for one single-family dwelling. The proposal is generally located north of and adjacent to York Road and east of and adjacent to Floweree Drive. Jerry Grebenc reported that the applicants, John and Laura Monson, have requested a postponement of the hearing until December 11, 2001, and that the review period be extended to December 14, 2001. Hearing no public comments, the Chair closed this portion of the hearing. Commissioner Varone moved to grant applicants' extension request. Commissioner Loendorf seconded the motion and it carried 2-0.

Proposed Minor Subdivision, Summary Review, Winston Livestock Co. Minor. The applicant proposes to create one lot for a concrete batch plant with office facilities. The proposal is generally located 5 miles east of East Helena and north of and adjacent to U.S. Highway 12. The applicant, Richard Diehl, was present and indicated his willingness to proceed. Jerry Grebenc reported that according to the Soil Conservation Service prime soil has been identified. It would be cost prohibitive to irrigate the property at this time. A fax received from Earl Thomas stated he is not against the proposal but his concern focused on the hours of operation of the gravel plant. The proposed commercial operation would have minimal impact upon surrounding agricultural uses. The availability appears to be adequate for domestic use but the long-term availability for domestic or industrial use is unknown. The applicant is proposing to install a vegetative buffer along the southern boundary of the property. Staff did not identify any other major issues with this proposal and therefore recommended approval subject to 13 conditions as outlined in the staff report. Due to the fact that on-site wastewater treatments will be placed on the lot, or are proposed, health agency approval would be required. There are no conditions of approval for hours of operation or dust control for the gravel operation because this area is mostly agricultural.

Richard Diehl, Box 470, Winston. He intends on keeping the place looking tidy and believes the gravel operation will be good for the community. He is in agreement with the recommended conditions of approval.

Rande Farrow, Pioneer Concrete, Butte, Montana. Mr. Farrow stated that the reclamation lagoon is an area where mixer trucks get rid of the waste concrete. It is then stockpiled and later turned into a saleable product. He stated the stop sign is already in place. An additional 300 feet of gravel road will be constructed, graded, and watered for dust control. The silos are designed for seismic 3 zones and contain dust collectors. He has applied for a permit to install a drainfield and a septic system for the office building. He has received bids from a local landscape firm for a vegetative barrier.

Hearing no other comments, the Chair closed this portion of the hearing. Commissioner Varone moved to render a final decision November 29, 2001. Commissioner Loendorf seconded the motion and it carried 2-0.

Resolution Ordering a Refund of Taxes and Assessments Paid. Cheryl Green reported that the property owned by School District #1 has been annexed into the city and is now School District 2C. The Mosquito District fees did not get removed from the tax bill after it was annexed. Staff recommended a refund to Helena School District #1 in the amount of \$271.32 for tax year 2000. Commissioner Varone moved to approve the resolution and authorize the Chair to sign. Commissioner Loendorf seconded the motion and the motion carried 2-0.

Resolution Ordering a Refund of Fees and Assessments Paid. Cheryl Green reported that Roger Snyder was double assessed for Scratch Gravel fees in the amount of \$86.00. Staff recommended that Mr. Snyder be granted a refund. Commissioner Varone moved to approve the resolution and authorize the Chair to sign. Commissioner Loendorf seconded the motion and it carried 2-0.

Other business.

Nicholas Burczyk, 910 N. Last Chance Gulch. Mr. Burczyk offered his personal opinion regarding abuses at the Cathedral and asked the City of Helena and Lewis and Clark County to stop the mafia presence in Helena as well as the State of Montana. No action was taken at this time.

There being no other business, the meeting adjourned at 9:40 a.m.