

SUBDIVISION MEETING
May 29, 2003

Vice-Chair Mike Murray called the meeting to order at 9:00 a.m.

Commissioner Tinsley was present. Commissioner Varone was absent attending to other county business.

Others attending all or a portion of the meeting included Jason Mohr, Ron Alles, Carol Hanel, Phil Wirth, Marni Bentley, Steve Bartmess, Mike Henderson, Sharon Haugen, Jerry Shepherd, Darby Revious.

Pledge of Allegiance.

Agreement between the Lewis and Clark County City-County Health Department and Kim DeGeorgio.

Mike Henderson stated that this is about our HIV Prevention Project and our contract with DPHHS, which specifies outreach to particular populations. Ms. DeGeorgio will reach out specifically to the IV drug using population within the Helena area with preventive education. We are in the process of getting it so the outreach workers can do the testing, but we are not there yet. Ms. DeGeorgio will bring in the people for HIV counseling and testing. The contract runs until the end of the calendar year.

Commissioner Tinsley asked if there were any statistics on the known IV drug users in our county? Do we keep any statistics on the people who come and participate in this program numbers wise? Is there a significant problem that we are aware of?

Mike Henderson stated that we do not have statistics in the number of people that will admit to using IV drugs. The way that we are accessing the population is through our awareness of it through our maternal and child home visiting program. The young mothers and the pregnant women that we are encountering, we are encountering people who are using drugs and are admitting that to our home visitors. The home visitors are acting as liaisons between that population and this outreach worker.

Commissioner Tinsley asked what the statistics were on the number of HIV cases in the County.

Mike Henderson stated that the number is under 50.

Commissioner Murray stated that in the past, people with HIV were Helena natives that had come back to Helena in the final stages. Is this still the case?

Mike Henderson stated that it was.

Commissioner Tinsley moved to approve the agreement with Kim DeGeorgio for the HIV AIDS Prevention Education in the amount of \$5292.00. Commissioner Murray seconded the motion and it carried 2-0.

Commissioner Murray stated that for the next two subdivisions the Commission had asked Staff to contact Phil Wirth to see if it was his desire to have a full Commission seated when we acted on the next two subdivisions. Mr. Wirth responded to Ms. Haugen that he was satisfied with two Commissioners ruling on both his subdivisions. Today is the day that the decisions will be made.

Proposed Major Subdivision, Preliminary Plat to be Known as the Bridge Creek Estates Major Subdivision.

The applicant, Phil Wirth, is proposing creating 101 lots, 100 residential lots and 1 lot to be developed at a later date. The proposed subdivision is in the SW $\frac{1}{4}$ of Section 17, T11N, R3W. The proposed subdivision is located east of and adjacent to North Montana Avenue and approximately $\frac{1}{2}$ mile north of Lincoln Road.

Commissioner Tinsley moved to approve the variance request for Bridge Creek Estates Major Subdivision, which would allow double frontage for the Lots 18, 19, 20, 21 and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Commissioner Tinsley moved to approve Bridge Creek Estates Major Subdivision along with the recommendations by the Planning Board and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Condition #12: Mailboxes: We've started to add the language that mailboxes shall be located on internal subdivision roads. Commissioner Tinsley moved to amend his motion and specify that the mailbox shall be placed on internal roads within the subdivision. Commissioner Murray seconded the motion and it carried 2-0.

Condition #13n: Fencing: Commissioner Murray stated that he is unaware of any big game in this area.

Condition #13o: Deer-proof fencing: Commissioner Murray stated that this is not an enforceable condition.

Commissioner Murray made a motion to remove Conditions 13n and 13o.

Sharon Haugen stated that a letter from Gayle Joslin of Montana Fish Wildlife and Parks had been received. The letter states that there is a strip of land from the Lincoln Road to the base of the North Hills that is now approximately 2 miles in width that has been defined as antelope habitat and an important wildlife movement corridor across the Helena Valley from the Missouri River west to the Little Prickly Pear Valley. The current proposals occur within this remaining strip of land.

Commissioner Murray stated that he respects and agrees with Ms. Joslin's comments. In this instance, I've never seen an antelope on this property, east of the interstate. Fencing will not keep out antelope. In this instance, I am going to respectfully disagree with Ms. Joslin.

Commissioner Tinsley stated that he too respects Ms. Joslin's standing as a wildlife biologist, but does not think that it will be a problem in this particular subdivision. Commissioner Tinsley moved to remove Conditions 13n and 13o and authorize the chair to sign.

Commissioner Murray seconded the motion and it carried 2-0.

Condition #14: Archeological Survey: Sharon Haugen stated that generally if there is a response that there is a potential impact a response is recommended. There have been no cultural resources identified in the subject area according to the State Historic Preservation Officer. Response said that there is potential impact for cultural properties and recommends that a cultural inventory be conducted.

Commissioner Tinsley would prefer to keep this condition

(*Start of transcription - Tammy Smith)

Commissioner Murray: Commissioner, before the application of this Phil Wirth and I visited about a number of conflict points going on on Montana Ave and I suggest Mr. Wirth limit it to two conflict points. He wanted four, his planners justified four, I'm assuming that Staley Engineering has far more knowledge than a poor County Commissioner on conflict points and traffic control. However, to mitigate the traffic that's going to generate I'd like to propose a new condition that the applicant contribute 1/8 of the cost to install a signal light at Montana and Lincoln Road and the reason I picked 1/8 is it will be my intent in the next subdivision to try and convince you also to agree to 1/8 of the cost which is $\frac{1}{4}$ that way it (unknown) the impact caused by Ranch View it's the commissions responsibility to see that the neighbors to the West and South also will contribute so that we get a signal light and in this particular condition I don't expect the signal light to be put up in the immediate future, it would be, Sharon I'd need your help on it so that at some point in build up we'll ask Mr. Wirth for the contribution not prior to filing the plat, so Commissioner I'm requesting the applicant shall contribute 1/8 of the cost to install a signal light at Montana and Lincoln Road when the, prior to final build out if you will. Sharon if your staff will

Sharon Haugen: We may have to draft, and just a couple things to keep aware of a signal light at North

Montana and Lincoln Road will also involve Montana Department of Transportation and they would be the ones probably ultimately determine when that light would be installed, so my question than would be, if they don't make that determination, and I don't know if they will, before, if they prior to installation to that light than we would want to word, if the installation occurs either before or after since we have no determination on the timing of that, I don't know

Commissioner Murray: Well Mr. Wirth is suggesting that the final build out is 2014.

Phil Wirth: Ten years is my estimate.

Sharon Haugen: So there might be very likely because I know the DOT is looking at improvements not only out in Lincoln Intersection but also looking at the possibility of that, that's part of the overpass, that's also part of the side improvements, I guess for a lack of a better word. That they're also considering as part of the EIS. The safety project, so I guess my question than is if that installation, that light occurs prior to build out than we will only collect, based on this collect money at build out or at the time of installation.

Commissioner Murray: At final build out, yeah I guess. I'm not as optimistic as you. I don't believe it will happen within the next couple of years. What I'd like you to do if Commissioner Tinsley is agreeable with my motion is have you work with Mr. Wirth and the intent of this is not to slow down his plat, but at some point in the future to mitigate the impact of traffic than Mr. Wirth would be responsible to contribute to $\frac{1}{4}$ of the costs, and hopefully we'll have MDOT as a partner in the cost of the light and so we'll be contributing or what Mr. Wirth will be contributing would cost

Sharon Haugen: So it's actually $\frac{1}{8}$ of the cost of local match and not $\frac{1}{8}$ cost total cost of the light.

Commissioner Murray: That's the intent, yeah.

(unknown Male): Who'd wind up paying the full light.

Sharon Haugen: We'd pay the full light, but so I mean if that's agreeable to the commission and its $\frac{1}{8}$ of the local costs as opposed to the total costs of the light. Where the total cost of the light that would be mean MDOT $\frac{1}{3}$ and we'd have to pay $\frac{1}{8}$ of the overall cost, so I assume it's the local cost. What I'm saying is the way you're wording it now, you would have Mr. Wirth, and I don't know if this is your intent, paying $\frac{1}{8}$ of the total costs of the light, but what I understand you to mean is $\frac{1}{8}$ of all costs would be contributed to local entities.

Commissioner Murray: $\frac{1}{8}$ of whatever locally we can't get the highway department to pay, we would pick up.

Ron Alles: Does this go in a form of a condition

Sharon Haugen: Yeah, so that would be, I understand your intent; I think we were saying the same thing.

Commissioner Murray: But, what I'm suggesting Commissioner Tinsley is that Mr. Wirth and planning staff write this condition so that they understand the intent but they put it in such a format that both can live with.

Commissioner Tinsley: How can we

Commissioner Murray: We do it all the time

Commissioner Tinsley: Okay.

Sharon Haugen: Yes we can

Ron Alles: Here's a question. Okay, when Mr. Wirth files final plat approval the light will not be in yet in all likelihood, so ten years from now the light gets put in what's our method of collecting the money is that we do

through the condition of approval?

Commissioner Murray: That final build out staff and Mr. Wirth are going to have to work on condition for final build out which is estimated to be ten years away and they need to work on verbiage I assume with our legal counsel.

Ron Alles: Does that come in the form of an approval agreement

Sharon Haugen: That might be the way we have to do it, do an estimate cost. That's the only thing I can think of right now. But I understand the Commissions intent.

Commissioner Tinsley: But it stands as a separate condition of approval.

Sharon Haugen: Yeah. That's what he's

Ron Alles: You would sign the final plat approval but along with that final plat approval staff would say we do have in place a subdivision improvements agreement to pay for 1/8 the cost of local match

Sharon Haugen: So it would essentially be an agreement between ourselves and Mr. Wirth and any subsequent interested party in that at the time when the light is installed at North Montana and the intersection of Lincoln Road that he would contribute 1/8 of the cost that the County will be required to pay for that light.

Commissioner Tinsley: Mr. Chairman, I make a motion that we add a new condition of approval #22 which will read applicant will be responsible for 1/8 of the cost of installation of a signal light at the corner of Lincoln Road and North Montana for mitigation of traffic and staff should also be directed in my motion to work with Mr. Wirth regarding the final language and it would be in the form of a subdivision improvement agreement and authorize the chair to sign.

Commissioner Murray: Second. All in favor of the motion signify by saying 'I'.

Commissioners: 'I'

Commissioner Murray: Motion carries. Commissioner, I'm afraid to suggest my next condition and my next condition is to require the applicant to contribute 1/8 to a area infrastructure study to include, traffic, water and septic needs for the future, again, I believe with the build up on both sides of Montana and the potential build up of the South we need to mitigate and septic problems that may arise. If you're agreeable with the idea, what I would suggest is that we include Mr. Wirth on a committee to select and help us with the scope of work for the infrastructure study so that, since he is paying in part for it and so the County's we don't have other subdividers immediately proposing to subdivide, that the County's going to have to pick up part of the cost and recoup it from future subdividers that in equal portions that we utilize the information from the traffic, water and septic needs study.

Commissioner Tinsley: So, since you cannot make a motion, I have to make it for you, let me go and say again exactly what you'd like your motion to say so I can understand it, and it sounds to me like there's two parts to it.

Commissioner Murray: What my proposed motion is, is that the applicant shall contribute 1/8 of the cost of an infrastructure study in the immediate area to include traffic, water and septic service needs. Commissioner I believe that would cover the motion from the record that we have established since Mr. Wirth is going to be asked to pay part of this costs that he be involved in selecting, or designing the scope of work and selecting with the county.

Commissioner Tinsley: I understand where you're going with this; let me ask you another question. My guess is during the next subdivision on the Silver Creek you're going to ask for another 1/8th? Who's going to be expected to pay for the other $\frac{3}{4}$ of the agreement for the study?

Commissioner Murray: Long term anyone that develops on the, Mr. Wirth on the West Side, I hope to go out and get some of the funding from some of the existing development but Mr. Marshall I believe is coming before us so I would hope to recoup some of the money there in the short term the County will probably have to foot the bill unless we can get a grant. If we're successful in getting a grant to study the infrastructure needs there then I would Mr. Wirth would participate and or benefit from us seeking the grant and his money would serve as part of the match as would the other four corners of the other four adjoining properties. The Seben Ranch Company, I believe the gravel pit on the South East corner is State of Montana property; it would be my intent to go after they might contribute also to the study.

Commissioner Tinsley: Mr. Chairman, I'd like to make a motion to create condition of approval #23, which would require the applicant be responsible for 1/8 of the cost of traffic infrastructure study in the area generally known as Lincoln Road and North Montana Avenue. This is a study we will probably be proposed sometime in the near future. And also that when a committee is formed to study the traffic and infrastructure including water and septic services as well as traffic that Mr. Wirth be appointed to that committee and authorize the chair to sign.

Commissioner Murray: Second. Discussion. All those in favor, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries

Commissioner Tinsley: I'd just like to say Mr. Wirth you've got a pretty good record, the people up here thought very highly of you. I don't necessarily agree with where you are putting your subdivision, I think we should be working towards filling in some of the empty spaces closer to town, however since you are on the west side of the highway, an infrastructure will eventually reach your area I think this is different than your neighbors property across the highway. I still don't think we should do this, but I'm going to vote for it because I think you've done everything you can do, you've done a pretty good job putting together your plan. I am concerned about the ground water in the area and I hope you stay active with the community in working out that issue. There is the underground water study that is going on out there and this is no doubt probably going to impact ground water around that area to what extent we don't know, hopefully the drought has been broken and hopefully there's some recharged (unknown) in regards to the bedrock aquifer. I do want to tell you that you do have a good reputation as well as your engineer Mr. Stahly and even though I'm opposed to where you're putting this, I am going to support it, so, Thank you very much.

Commissioner Murray: All in favor of approval of subdivision, with conditions as amended, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries

Sharon Haugen: In inherent to in your motion Mr. Commissioner I just thought of this in the finding of the facts the last commissions would be included in the findings of fact on the public health, our staff is proposing that they incorporated into the facts of because we always identify what effects that the conditions that the findings of facts on access #3 will incorporate commission #22, I guess, and the last one will also be incorporated into the Public Health and Safety and local services if the consensus of the commission. It would remove the references to the conditions that you evoked under wildlife. With your general consensus, we'll assume that's part of the motion. What I just said is the findings of fact have to coincide with the conditions that you just set, so you have to identify what impacts you're going to address with your conditions. We're assuming that was local public health and safety, local services and access

Proposed Major Subdivision, Preliminary Plat to be Known as Silver Creek Commercial Major.

(Applicant, Flying J. Incorporated) (cont. form 5/6/03)

The Commissioners will consider creating 24 lots from 4 existing parcels. Twenty-three lots to be used for commercial activity, the remaining lot would be used for a drain field site for a community wastewater treatment system. The proposed subdivision is located in the SW $\frac{1}{4}$ of Section 17, T11N, R3W. The proposed subdivision is located east of and adjacent to North Montana Avenue and north of and adjacent to Lincoln Road.

Commissioner Murray: Commissioner, we're now going to talk about Silver Creek Commercial Major with no requests for variances.

Commissioner Tinsley: Chairman, I make a motion that we approve the proposed major subdivision, preliminary plat to be known as Silver Creek Commercial Major and including the recommendations made by the planning board which voted 7-0 for the approval of the plat and authorize the chair to sign.

Commissioner Murray: Second. Commissioner, I propose to add two additional conditions, both conditions requiring the applicant to contribute 1/8 of the cost of the local funding needed for the signal light for condition #20 and for condition #21 that the applicant contribute 1/8 of the cost for the water, infrastructure study to include traffic, water and sewer.

Commissioner Tinsley: Can I make one motion for both conditions?

Sharon Haugen: Yeah, if you specify both of them.

Commissioner Tinsley: Mr. Chairman, I would like to make a motion we create a condition #20 and #21 and incorporate the language that was taken, that was included in the previous discussion and take that language directly out of there and put in this as conditions #20 & #21 and authorize the chair to sign, or do I have to read it all again?

Commissioner Murray: Second. All in favor of the motions, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries

Commissioner Tinsley: Mr. Chairman I have a question. First I'd like to ask Mr. Wirth and than maybe talk to Sharon if that's okay with you. Mr. Wirth, with regards to Silver Creek Commercial Subdivision, it's going to be a business park essentially. Do you have any plans for signage, if so what are they? Do you have any idea of the kind of height or width your thinking about putting up?

Phil Wirth: We're definitely, in our covenants the design, the type of purchase is a low spread out, not a lot of building cover on the lots. I mean I don't know

Commissioner Tinsley: So they'll be landscaped and

Phil Wirth: Definitely landscaped, definitely no more than like 1/3 of the lot will be covered by building

Commissioner Tinsley: You're not going to put like a big giant 100 foot Texaco sign up are you?

Phil Wirth: We're looking for a country environment and I'm going to be the, I'm not 100% in control of this but, because the previous owner was killed in a plane crash, I'm not sure exactly what is going to happen there, but if I'm in control, I mean as much as I can be in control, I'm going to be the architect committee and I'm going to be real careful with what goes in there because

Commissioner Tinsley: Would you be adverse to me putting in a condition of approval that would limit the height of the sign to a certain height? Since that's your intention anyway.

Phil Wirth: I guess the only thing that bothers me about that because there is already a big sign out there. To make a business successful, I know that they need a certain amount of ability to catch someone's eye

Commissioner Tinsley: Absolutely, I don't disagree with that

Phil Wirth: and I don't know what that height will be at. I sure wouldn't want anything, I don't want anything worse out there than you do. I'm trying to maintain that by being the architect committee.

Commissioner Tinsley: Let me talk to Sharon and ask her a question. Sharon, do you know the height of the Bobs Valley Market sign approximately?

Sharon Haugen: No, I don't.

Commissioner Tinsley: Steve

Steve: I want to guess it's right at

Commissioner Tinsley: My guess is 60 foot

Steve: I was going to exactly say that. The 85 footer would just about maybe put it on his building and so yeah, about 60 foot is what I'm guessing.

Phil Wirth: We definitely don't want anything bigger than that.

Sharon Haugen: Mr. Chairman, Commissioner Tinsley, attempting to talk in non-county attorney language, but in layman's terms, in your staff report on page 8 we talked about visual appearance its always one of the issues we address under natural environment and one of the suggestions that staff had is that the subdividers put on covenant that will be placed addressing the sighting and size of signs; location, height, screening of loading docks and trash receptacles and establishing an architectural review committee that (unknown) people testified to that. What I understand Commissioner Tinsley to be getting at is that maybe you want to consider a condition that would want to establish a covenants that would put up design standards and set a maximum height for the sign as part of the impacts.

Commissioner Tinsley: That's exactly what I want to do.

Commissioner Murray: Phil, do you disagree with that?

Phil Wirth: Yeah, I guess as long as it's common I don't mind that if it's common sense. Like I said, this is going to be a commercial area, and to have a nice commercial area I guess I just want you to be careful not to cut out, to cause a business that everybody might like to see be in there, not want to come in. I think Bob's height is, I mean if we put a ceiling there.

Commissioner Murray: Some of us believe Bob's sign is a little higher than the neighborhood should have (tape ended)

Commissioner Tinsley: ... we're not trying to stick a fork in you guys, but by the same token you know, people have brought up the fact that that is a very ugly sign and impinges on their view but people have some concerns with that and I understand.

Phil Wirth: Kind of to let you know where we're at on it, the reason I got involved in that is because Ranchview is pretty nice and we wanted to continue with a nice area and when flying J first came in I was like ooh, because they wouldn't have, so that's when I got together with flying J and said hey, let's work together and

eventually it worked into them letting me take over the project and go ahead and design it so it fit the community area and so that's kind of how this all came about and that's what my intent has been to make sure that we don't do anything. I want to make the area a better place to live.

Commissioner Tinsley: I understand. Mr. Chairman.

Commissioner Murray: Before you go there, since we've insulted one of our guests here if I was an owner or partner of Bob's Valley Market, as part of my marketing scheme I would want as large as sign as I possibly could put up. I understand why the sign is there.

Commissioner Tinsley: Mr. Chairman, I have a quick question of Sharon. Where did you find the language?

Sharon Haugen: If you turn to page 8 of the staff report not the planning board, under visual appearance

Commissioner Tinsley: But this is not included in it as a condition of approval

Sharon Haugen: Currently, it is not a condition that was either recommended by staff and/or with the planning board.

Commissioner Murray: Again, Commissioner, what I may suggest is you put forth your motion adding the condition allowing staff and Mr. Wirth to actual do the verbiage on the condition.

Commissioner Tinsley: That's fine with me. Mr. Chairman I'd like to make a motion that we create a condition of approval #22, is that right, that addresses a covenant or design standard placed on the properties by the subdivider to address the sighting, and the size of signs, location and height of exterior lighting screening of loading docks and trash receptacles; use of landscape buffers; design and architectural review, etc. so it would reduce impact on the surrounding area. It'll allow staff and the developer to come up with some agreeable heights and widths and etc. and any sign should not be higher than the existing sign at Bob's Valley Market currently. Should not exceed the limit of the existing signs.

Commissioner Murray: Now a motion on the second to add a visual appearance condition with the verbiage to be written by staff and the applicant. All in favor of the motion, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries. Commissioner, do you feel a speech coming on?

Commissioner Tinsley: I guess what I would say Commissioner, Mr. Wirth, same thing as I said last time. I don't agree with the location here, but you've done a very good job of putting it together. It sits, a structural eventually will be in this area opposed to the other side of the highway, the east side of the highway. I don't see how, you've met all the conditions and you've agreed to, I don't see how we can not approve this. Again, with your neighbors regarding the ground water and pulling all this together.

Commissioner Murray: Mr. Wirth, again I want to comment that I appreciate you know working with you in the past you've done everything you've indicated here you would do. It's nice to have a developer lives up to his word entirely. The produce you've put in our valley is a quality product and I know that you will do a quality job here. I too wish that the ag land would remain in production and agricultural would be more profitable for you subdividing it. I understand farm economics a little bit. All in favor of the motion, signify by saying 'I'.

Commissioners: 'I'

Commissioner Murray: Motion carries. Thank you Phil.

Agreement between the City of Helena, Lewis and Clark County, City-County Administration Building, and Three Brothers Plumbing & Heating. (cont. from 5/22/03)

The Commissioners will consider the agreement with Three Brothers Plumbing & Heating for plumbing services at county buildings.

Ron Alles: Mr. Chairman, this was tabled until today to give staff the opportunity or chance to find out whether Three Brothers Plumbing and Heating does indeed have a city license and operates out of Lewis and Clark County. They in fact do. Staff recommends approval of this contract.

Commissioner Murray: Commissioner, it's my understanding that staff has researched the shop that Three Brothers works out of is located on Rodney Street, Rodney and Breckenridge I believe.

Ron Alles: Yes.

Commissioner Tinsley: Mr. Chairman, I make a motion we approve the agreement between City of Helena, Lewis and Clark County, City-County Administration Building and Three Brothers Plumbing & Heating for services, plumbing services at all county buildings, at county buildings and authorize the chair to sign.

Commissioner Murray: Second. All in favor of the motion, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries

Resolution Of Intention to Create a Rural Improvement District for the Crestwood Green Major Subdivision.

The Commissioners will consider the resolution.

Marni Bentley: As I said in my memo, Crestwood Green was filed in January of 2002. The developer improved the roads, as required in the subdivision approval. In order to maintain the surface of the roads we would like to put in a RID to start building up (unknown) chip seal roads in 3-5 years and our draft resolution attached to a memo that outlines the cost for each lot. Each lot would be assessed \$420.00 per year, staff recommends approval.

Commissioner Murray: Questions of staff? Is there a motion?

Commissioner Tinsley: Mr. Chairman, I make a motion we approve the resolution of intention to create a Rural Improvement District for the Crestwood Green Major Subdivision, and authorize the chair to sign.

Commissioner Murray: Second. All in favor of motion, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries

Resolution of Intention to Create a Rural Improvement District for the Foxview Estates Major Subdivision.

The Commissioners will consider the resolution.

Marni Bentley: Staff is recommending approval of this Rural Improvement District to maintain the roads in the Red Fox RID. The roadways currently consist of hot mix asphalt that was constructed two years ago and the developer, Mr. David Brown is chip sealing the roads this year, this season, this summer. We're assuming that an additional chip seal 7 years from now and the purpose is to have an RID in place to maintain the roads on an annual basis and have money in place to do chip seal 7 years from now.

Commissioner Murray: Questions of staff? All those in favor of the resolution, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Make a motion.

Commissioner Tinsley: I make the motions to approve the resolution to create the Rural Improvement District for Foxview Estates Major.

Commissioner Murray: Second. All in favor of the motion

Commissioners: 'I'

Commissioner Murray: Motion carries

Final Plat Approval and Subdivision Improvements Agreement for Holmberg Phase III.

The Commissioners will consider signing the final plat.

Sharon Haugen: Mr. Tinsley, Mr. Murray for the record what you have before you is final plat approval and subdivision improvements agreement for Holmberg Phase III. It will be a subdivision improvements agreement for two retention ponds and the bond in the amount of \$600.00. All others conditions have been met. Staff recommends signing the plat and improvements agreement.

Commissioner Murray: So moved.

Commissioner Tinsley: Final Plat approval and Subdivision Improvements Agreement for Holmberg Phase III and authorize the chair to sign.

Commissioner Murray: Second. All in favor of the motion, signify by saying 'I'

Commissioners: 'I'

Commissioner Murray: Motion carries