

NOTICE OF PUBLIC MEETING

September 9, 2003

Chair Varone: Today is Tuesday, September 9th it's about 9:00 in the morning. To my left is Commissioner Murray, to his left is Carole Byrnes our executive secretary, to my right is Commissioner Tinsley, to his right is Sharon Haugen she's our Director of Planning and to her right is Ron Alles our Chief Administrative Officer. Others attending all or part of the meeting: Eileen Allen and Jerry Shepherd.

Pledge of Allegiance. (everyone recited the pledge).

Chair Varone: At the front of the room is a sign up sheet and a agenda, Frank would you pass it around and ask folks to sign it for us please.

Bid Award.

The Commissioners will consider award the bid for FAS-284 Cold In-Place Recycling.

Chair Varone: The first item on the agenda is a Bid Award this is for Broadwater and Lewis and Clark County lines, the Commissioners will consider awarding the bid for FAS-284 Cold In-Place Recycling for Valentine Surfacing of Vancouver Washington in the amount of \$104,500.00. Ron?

Ron Alles: Madam Chair, Commissioners. Public Works couldn't be available but they asked that I follow on with this. As noted in the recommendations, staff did mail out eleven bids, or RFP's to known Cold In-Place contractors, we received two back. The amounts were listed on the back. One was a total of \$200,000.00 the other \$104,500.00 from Valentine contracting in Vancouver Washington. Staff recommends that Valentine be awarded the bid.

Chair Varone: Thank you Ron, it's my understanding that the main reason for the difference, the large difference between the two bids is Valentine Surfacing is in the area and the other costs would amount to ship the equipment over to be used. Is that correct?

Ron Alles: That's correct. You'll note that the mobilization costs for Mid-State is \$50,000.00 where Valentines is \$12,000.00. There's also quite a difference in the laid in place portion of the bid, from Valentine being \$1.00 where Mid-State is \$2.25 per foot.

Chair Varone: Thank you. Any questions of Ron?

Commissioner Murray: Madam Chair, I move we accept the recommendation of the Public Works Department and award the Valentine Surfacing Company in Vancouver Washington the contract for \$104,500.00 and authorize the chair to sign.

Commissioner Tinsley: Second

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries

Resolution Annexing Land into the Marysville Fire District. (Marni Bentley)

The Commissioners will consider the resolution.

Marni Bentley: Madam Chair, Commissioners. This is another in our long list of annexations. Petition was received from the adjacent property owners to annex the percentages were 89.47% of the area, 97.6% of the taxpayers. The Board of Trustees of the Marysville Fire District approved the request. The existing Marysville Fire District will provide service. Notice was sent to all property owners and no protests were received as of this date. Staff recommends approval of the draft or the attached resolution annexing the

properties.

Chair Varone: Any questions or Marni? Commissioner Murray?

Commissioner Murray: Madam Chair, rather than questions of Ms. Bentley, Mr. Alles can we still get this on the tax bill for this year.

Ron Alles: I think we're too late.

Marni Bentley: We're beyond the deadline.

Commissioner Murray: Is the Marysville Fire Department willing to pay the fee to have a separate tax bill issued to correct the error here, it would be less for the people petitioning it?

Ron Alles: We could certainly ask them, Madam Chair, Commissioners.

Commissioner Murray: Whatever I am over here.

Chair Varone: Depends on the day.

Ron Alles: We'll work with them and see if they want to do that. I know that it would benefit the property owners because in fact they would be paying Lewis and Clark Fire Service Area fee which is a bit higher than the Marysville fee and it has been the commissions intention and decision in the past to just donate that portion that's collected on behalf of these property owners to the new district. That's what we would do otherwise unless the commission directed us.

Chair Varone: Thank you Marni. Do we hold a public meeting now, a public hearing?

Commissioner Tinsley: I have a question real quick.

Chair Varone: Commissioner.

Commissioner Tinsley: Marni when does this take effect. I remember in Augusta it took like six weeks I believe.

Marni Bentley: Well Fire Service Areas and Fire Service Districts is different. This one would take effect immediately. Fire Service Areas have the protest period of 60-days.

Chair Varone: Any further questions? Thank you Marni. This is a public hearing, anyone wishing to speak in support of and opposition to or in general, please come forward. For the second call. The third and final call. This closes the public hearing. What's the commissions pleasure?

Commissioner Tinsley: Madam Chair, I make a motion that we approve the resolution annexing land into the Marysville Fire District and authorize the chair to sign.

Commissioner Murray: Second.

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries

Final Plat Approval for the HW Smith Minor Subdivision. (Applicants, HW & Elizabeth Smith) (Frank Rives)
The Commissioners will consider signing the final plat.

Frank Rives: Madam Chair, Commissioners, I've been working with the applicants on completing this subdivision. They've met all the conditions of approval and are ready to go forward with the final plat.

Chair Varone: By consensus Commissioners? Thank you Frank.

Final Plat Approval for the Red Letter Minor Subdivision. (Applicant, Rick Hill) (Jerry Grebenc)

The Commissioners will consider signing the final plat.

Jerry Grebenc: Madam Chair, Commissioners, this is a two lot minor subdivision located just adjacent to the city limits off of Gold Rush on the southeast side of town. The applicant has completed all the conditions of approval, the taxes are paid, all the signatures are on the plat, and staff does recommend approval and signature of the plat by the Board.

Chair Varone: By consensus Commissioners? Thank you Jerry.

2003-2004 Fire Protection Agreement for Fairgrounds. (cont. from 9/2/03)

The Commissioners will consider the annual agreement in the amount of \$4,056.

Ron Alles: Madam Chair, Commissioners, yesterday the City of Helena which included the manager Tim Burton, Steve Larson, J.R. Foyt and one other person as well as Jerry Shepherd with West Valley, Wally Jester and Sheriff Liedle, we all met to discuss not only the fairgrounds but contracts in general. I gathered from the meeting and the general consensus was that there are other services right now, if you take for example the west side area, the City provides water and sewer and on a regular basis their annexing one and two households a week into the City of Helena, so in effect the City's providing service not only for fire but also water and sewer services. The same applies to the fairgrounds, not only have they been providing fire protection, obviously at a fee, but they've been providing water and sewer down at the fairgrounds so it's part of a bigger picture rather than just fire protection. In all likelihood it would seem that the fairgrounds going to be annexed perhaps within the year as we expand our water and sewer coverage down there. So, I didn't feel that there was a whole lot of objection from anyone in the room, including the City but the Sheriff, Wally Jester and even Jerry Shepherd; there wasn't a whole lot of opposition with contracting with the City for this fire protection. I would recommend that we go ahead with the City with the fire protection, the state property that sits in-between the Ryan ball fields and the fairgrounds; they contract with the City for that fire protection and I just don't see a reason to change that right now. In due time, and probably within a year we'll be talking about annexation of the fairgrounds into the City of Helena. So it's staff recommendation that we move ahead with this contract.

Chair Varone: Chief Shepherd do you have any comments? Thank you. Any questions of Ron? What's the pleasure of the commission?

Commissioner Murray: Madam Chair, I move we enter into a fairgrounds fire protection agreement with the City of Helena and authorize the chair to sign.

Commissioner Tinsley: Second.

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries

Public comments on matters within the Commission's jurisdiction.

Adjourn.