

SUBDIVISION MEETING
November 6, 2003

Chair Varone: (tape begins) ... an hour later than usual because we had the election canvassing at 9:00. To my left is Commissioner Murray, to his left is Ron Alles our Chief Administrative Officer, sitting off in the corner by himself is Eric Griffin our Public Works Coordinator, to my right is Commissioner Tinsley, to his right is Carole Byrnes our Executive Secretary and to her right is Sharon Haugen our Director of Planning. Would you please join the Commission in the pledge.

Others attending all or part of the meeting: Bernice C. Hunt, David L. Hunt, Ben Mayger, Joan Bischon, and Jason Mohr.

Pledge of Allegiance. (Everyone recited the pledge)

Chair Varone: There is a sign up sheet that's over on the table if someone would like to start it and I believe there are agendas there as well.

Bid Opening (Kate Wilson)

The Commissioners will discuss the bids for the Parker Medical Clinic Remodeling Project

Kate Wilson: I can tell you something and Eric can help me. The bids for remodeling Parker Clinic ranged from approximately \$69,000 to \$99,000 but the Cooperative Health Center only has \$45,000 to use for the remodel and so it went to the Board last week, the executive committee and they decided that and also Janet Pallister and Nancy Everson were there as well and we decided that the best thing to do for now is see if we can get a grant that will cover the full cost of the remodel and we'll need to reject the current bids right now because we won't be getting that much money in the next 30 days.

Chair Varone: Thank you Kate. Any questions or comments?

Eric Griffin: A couple additional ones. If anyone remembers we had a larger scale project that we had planned there, then after we did the pre-demo inspection we found the asbestos in the taping mud so we took that project and scaled that project way down not to disturb the asbestos so we have in my opinion probably have made as minimum job project and as functional project as we possibly can another thing to keep in mind too is that the County don't own that facility up there, the Blackfoot Valley whatever owns it and if the money is not available the only thing that we can because we have outstanding the bid bonds there we need to reject and get a letter to these contractors and let them know that, to thank them and return their bid bonds.

Chair Varone: and it's my understanding too that the low bid there was some question whether the qualifications of the person with low bid were adequate and if ultimately we found out that individual wasn't qualified than, or I mean \$45,000 bid excuse me, then the \$69,000, or No it was the \$69,000, what was the next one past that \$79,000 or \$89,000

Eric Griffin: \$89,000

Chair Varone: The next one (unknown) the next one is even more so, time to go back to the drawing board and see what else we can do.

Commissioner Murray: Madam Chair, I move we reject all bids received on the Parker Medical Clinic due to our inability to pay for the bids as received.

Commissioner Tinsley: Second.

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

Commissioners: 'I'.

Chair Varone: Thank you Kate and Eric.

Proposed Subdivision, Summary Review to be Known as Cactus Tracts Lot 3 Amended Minor. (cont. from 9/25/03) (Applicants, Scott and Rose Piper) (Planner, Michael McHugh)

The Commissioners will consider creating two parcels, each for one single-family dwelling. The subject property is located in the NE $\frac{1}{4}$ of Section 13, T10N, R3W; generally north of Canyon Ferry Road and east of Dusty Maiden Drive.

Chair Varone: Commissioners?

Commissioner Tinsley: Is this a public hearing, public hearings been closed on this.

Chair Varone: Yes, this is our time to decide whether we

Commissioner Tinsley: Madam Chair, I make a motion we approve the Proposed Subdivision Summary Review to be known as Cactus Tracts Lot 3 Amended Minor with the conditions of approval as included by staff and authorize the chair to sign.

Commissioner Murray: Second.

Chair Varone: Commissioners, if I could if you turn to page 8, item 9G, I think there's just a word that needs to be corrected, it says probation on the confinement of raising of livestock and it should be prohibition I think.

Commissioner Tinsley: I have that written in I forgot to tell you

Chair Varone: If we could just change that word to prohibition

Commissioner Tinsley: I'll accept that as an amendment

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

Commissioners: 'I'

Chair Varone: Motion carries

Proposed Subdivision, Summary Review to be Known as Hunt Minor. (cont. from 11/4/03) (Applicants, David & Bernice Hunt) (Planner, Michael McHugh)

The Commissioners will consider creating two (2) additional duplex spaces for rent or lease. The subject property is located in the W1/2 of Section 25, T11N, R4W; generally located north of and adjacent to John G. Mine Road.

Commissioner Tinsley: We have a variance.

Chair Varone: No, there's no variance.

Commissioner Tinsley: Oh, there wasn't a variance on this one.

Chair Varone: This is for determination. And there is an attachment here, I believe this is the one that it's for isn't it Frank? No that's one of the next ones. Okay.

Commissioner Murray: Madam Chair, Commissioner Tinsley. What I would like to propose is that we encourage the Hunts to request an extension to work with our staff to work on this application and bring it back to us with a public hearing again in the future. In inspecting the property yesterday, I'm not positive that this property is a duplex. The three meter boxes, power boxes that were pointed out to us are very evident on the

place it's a two story facility, I'm not sure there isn't space available in the basement for an additional rental by requesting a continuance of the date on this the applicants could also proceed, there's nothing holding them back from proceeding with Department of Health approval of their water septic systems and it would also give them time to have their well, they have well information here but they obviously have in their application staff pointed out there are problems with the septic including possibly the installation of their septic system. There are, this is one of the few subdivisions that has come before us that there's something in the application that just isn't right is it a duplex, is it a triplex, they switched from single residents because the roofing divider weren't right they came in wrong, the home is beautiful looking home, it's been sided it's closed in for winter so to continue with allowing the applicants to work with our staff and taking care of their septic needs at this time the facility is not going to deteriorate. Short of that, I feel I need to vote against this particular application as it's presented. The reason that I'm suggesting to the Commission and perhaps to the applicants to extend the deadline maybe to March or April to allow them adequate time to prepare this application, I think it can be done right there's just a lot of unknown factors that I'm really uncomfortable with in the application as it's now presented.

Chair Varone: Commissioner Tinsley?

Commissioner Tinsley: Madam Chair, this is the first application that we've received since I've been a Commissioner where there's been multiple violations of the Subdivision Regulations. I'm inclined to vote against it if we have to vote on it today, but I would be willing to follow Commissioner Murray's advice on this and support his recommendation if the applicants are willing to do so. Given the fact that there multiple violations of the Subdivision Act already, given the fact that there are questions, I too went and looked at the home and it does look to me like it could be a triplex, there are three electrical boxes and there just seems to me be enough living room in there that it could be turned into a triplex very easily and also given the fact that the applicant during his public hearing stated that he was more than willing to give permission to have samples done on the well, I think an adequate time of extension would be March or April would be, an extension of time through March or April would be adequate. I'd be willing to support that, but I'm not willing to support this one as it is as it stands today.

Chair Varone: Michael.

Michael McHugh: Commissioners, if you look at the proposed revision number one, it indicates that prior to any additional construction activities the applicant must comply with all the Department of Environmental Quality and City/County Health Department regulations involved in that is that they are required to provide a sample from the nearest available wells, which would be the wells that's already in there serving the duplex facility to determine what the nitrate concentration in ground water are. If those nitrate concentrations are in excess of what the County standards than they would not be permitted to utilize the (someone coughing) duplex. Staff does feel like we've taken into consideration what the Commissioners are concerned about. So, they can't do any more construction activity, they can't do any occupancy of that structure until they comply with that part of the DEQ requirements they are required to do the nitrate testing and have both of the septic systems evaluated by the Health Department.

Commissioner Murray: Madam Chair, Commissioner Tinsley. Mr. McHugh, I'm aware of condition number one and the fact that they can't do any additional construction, but yet they have done additional construction. There church group showed up, sided the home and closed it up for the winter, so additional construction has taken place on this, that's one of the reasons it makes me awful uncomfortable with this application. And the proper procedure would be to vote this down and let the people reapply for subdivision. I'm attempting to save them money, to take all the uncertainty out of this application whether it's a duplex, a triplex and try to save them money and help them out, is the reason I'm suggesting that we attempt to do what we are, are you satisfied that it's a duplex and cannot be a triplex? Can you explain the third meter box Mr. McHugh? And that's not your job, but.

Michael McHugh: In discussions with the applicant after the previous public hearing they said that that meter is to the well so that they can irrigate there tree farm and that the individuals in the duplex would not have to pay for the irrigation water.

Commissioner Murray: Mr. McHugh, the well is in an operating so it's getting power from some place at the moment. The three meter boxes look like they're not hooked up, connected or working.

Michael McHugh: Well, staff could suggest that the applicants provide certification from a licensed electrician to explain the meters and where they're going to and what they serve and if we got that documentation maybe that would ease some of the concerns.

Chair Varone: If I could respond, in the three years that I've been a Commissioner, I've always attempted to try and be objective about all the subdivisions that I look at and the applications and it's been my personal policy to try and help people be as successful as they can, doing what they want to do on their own property, given that they follow within the guidelines and regulations of the Subdivision Regulations and the law. And Mr. and Mrs. Hunt I believe that you're attempting to do this late, it's late, there's a lot of things that have happened that have been late and as a result I think that is why you're seeing the three of us Commissioners just having uncomfortable ness with it now and I really appreciate Commissioner Murray's request to have you ask for an extension maybe March or April or February, may be too long for your (someone coughing), but I too would like to see some additional information and I'd like to see the permits for the house that's now a three-plex I believe and see all that in front of us before we make our decision. I don't want to have to deny this application and you have to pay for all the fees again and the best way to handle that is to have you ask for an extension or for us to extend it and because I do have a concern about the Llamas that are on there, it's a small parcel of land if you're going to end up with five units on there and you indicated it was built over an old feedlot and that could be the possibility of why the water quality is so bad. I think, I'm hoping that this can be successful, but I really believe we need some more time to sort some of those things out and have that information provided to us so that we have a comfort level in saying yes or no absolutely. Commissioners?

David Hunt: May I make a comment?

Chair Varone: Yes Sir.

David Hunt: The third meter that is on there, as I explained to Mr. McHugh, is primarily so that the tenants or other people in there will not be paying for the water in as much as I will be using it as well. Commissioner Murray brought out the pump is there, where does the power come from, if you were out there yesterday as you indicated you would have seen the pole with the meter on it that has been active for over 25 years, that I have been using. Therefore, the power is coming right now from that, that meter as soon as the house is approved will be transferred over, I've already talked to the power company about that and there's no problem with that. There is a secondary feed for the well at the primary present time because of the location of the meter and the location of the wire going to the pump so that is, for a lack of a better word, Jack Lane set up to get the pump going. That will be corrected as soon as the power is to the duplex. It would also, that third meter would also be used for a craft room that my wife has requested down in that third part of it, it would not be a rental unit at all, it would be a craft room for her and rather than steal electricity from one of the other people in there, hence the third meter. Now as far as the Llamas are concerned, they were brought there for weed control and I don't know what else to do other than shoot them, get rid of them and then have quite the County (unknown) weed control.

Chair Varone: Mr. Hunt, I may have allowed you to speak up because we did have some questions, but this is the time, the public hearing is closed, and as a normal procedure because it's not a public hearing, we're not supposed to allow any conversation to take place, but we did have a question that you were able to answer. And I appreciate that. My question to you is would you like us to make a decision on this today or do you prefer to ask for an extension?

David Hunt: I'd rather have the extension rather than have you deny it now.

Chair Varone: Thank you very much, I think that's a wise decision. Now we need to decide on a date, do we not Michael? And between Mr. Hunt and Michael, what would be a good time frame do you think? Mrs. Hunt?

Bernice Hunt: We did not do work on the house

Chair Varone: Mam, I can't allow you to do that. I'm sorry. I don't mean to be rude.

Michael McHugh: If staff could ask exactly what the Commissioners are asking or asking that all the Health Department requirements, prior to

Chair Varone: What I would like to see is because this was built as a house and there are State requirements and fees that have to be paid and permits that have to be gotten as well as our County ones, I'd like to see all the back stuff that should have been done, when we got to this point, be provided to us so that we have like a clean slate to start with. That's what I would like to see.

Commissioner Murray: Madam Chair, Commissioner Tinsley. Michael, I just want a better comfort level. There are obviously is another room as the applicants has indicated today, it's going to be a craft room. But, I want to be satisfied, is it a duplex, is it a triplex, what is it? Obviously the pump is getting power at the moment, it's going to be transferred to another service box. Let's get all this ironed out so the next time we sit down and hear this, that we got all these little unknowns, discomforts, that you're application is causing us we can answer and explain these away. Allow your neighbors to hear them, to hear also what's going on, that's why I suggested the extension for you and the Hunts to clean up the application, increase the comfort level, get all these unknowns, these little nuances that are in the application taken care of and allow us time to notify the neighbors that we're going to reopen the hearing and allow additional testimony, especially the Hunts however much time that takes you is what we're proposing. If that's going to take you and the Hunts three months, four months, allow yourself enough time to correct it Michael.

Chair Varone: and what I'd, I don't think there's anything wrong with it being a triplex if the original intent is to start with a duplex with a possibility of later on expanding it to a triplex we just need to know that.

Michael McHugh: To satisfy the Health Department requirements it's a standard system going into the duplex, it could take up to 60-days, if because of the nitrate concentrations there required to do secondary treatment, which would mean an engineered system that would go through DEQ it could extend

Chair Varone: I don't think we're asking for them to do that, that's done after we approve it.

Commissioner Murray: Madam Chair, if I might. Excuse me for interrupting. I threw that out as an example that the subdivision wouldn't sit there idle, it was something they could be working on that's going to have to be done also. It could be done concurrently with an improvement of this application Michael, and I don't want you to hang up on the examples, it was a poor example.

Michael McHugh: Well, I was just kind of responding so we can determine our time period. I would defer to the Hunts whatever time frame that they think they can provide.

Chair Varone: Commissioner Tinsley did you want to comment before they decide.

Commissioner Tinsley: Madam Chair, Commissioner Murray. That's, Commissioner Murray stated what I was going to say. I think they should use that time to at least go through condition number one. And I guess this is a separate issue, I don't know, I'll bring it up right now and if it is we can deal with it later, but I'm very interested in looking into the actual installation of the system by the "certified installer" and finding out, that's going to be part of condition of approval number one already I know, but we have a separate issue to deal with there and I think we don't need to forget about that.

Chair Varone: I agree, that needs to be followed up on and I know you've done that.

Commissioner Tinsley: So do we just pick a date?

Chair Varone: No. Would you like us to just leave this and go on to the next item and then when you come up with a date will you come back or can you decide now?

Bernice Hunt: Is it for us to decide?

Chair Varone: For you with Michael so that you have plenty of time.

Michael McHugh: You can't do any additional work on the house.

Commissioner Murray: If you want to go to the small conference room, Michael, and you folks can visit and we can do the rest of the business.

Commissioner Murray: Madam Chair, I'd move that we allow the Hunts the opportunity to move this down on the agenda.

Commissioner Tinsley: Second

Chair Varone: All those in favor

Commissioners: 'I'

Chair Varone: If we could, what I'm going to do, Commissioner Tinsley needs to be leaving in about 25 minutes so if we could move on to the Elk Trail Park Minor and just move the agenda around a little bit, just in case you need to leave earlier than that. It's item number 6.

Michael McHugh: The Hunts and I have discussed this, what they would like to do is request a minimum extension of 120 days. It should be noted for the record that the Hunts have applied to the Health Department, they've already made their application for Environmental Health to review their septic systems. The other request is that they be allowed to install some type of heating mechanism within the structure, not to insulate or anything, but some type of heating just to preserve the integrity of the pipes and what improvements have been made at this point. The Hunts will also provide written permission to the County and the Water Quality District to go out there and sample and do any necessary testing.

Chair Varone: As one Commissioner, I'm fine with that request.

Commissioner Murray: Madam Chair, I am too. I think we need to put it in a formal motion and than we've got it on the record.

Commissioner Tinsley: Madam Chair, I make a motion that we approve or that we extend at the request of the applicants extend the proposed subdivision summary review to be known as Hunt Minor 120 days from today's date, minimum.

Chair Varone: We have to have a date

Commissioner Murray: We have to be date specific.

Commissioner Tinsley: and I will include in my motion to allow, Carole, do you have the date? Allow Carole to find that date and include it in the minutes and also as part of the motion I'll allow the Hunts to install a heating mechanism in the property in the meantime. (120 days = March 5/Decision March 2)

Commissioner Murray: Second.

Chair Varone: All those

Michael McHugh: and staff will prepare a letter for the Chairmans signature outlining all this

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

Commissioners: 'I'

Chair Varone: Motion carries.

Commissioner Murray: Madam Chair, Commissioner Tinsley. Mr. and Mrs. Hunt, although it appeared negative today, hopefully you saw that the County Government was trying to work with you to get this resolved. So I don't want you to walk away thinking today was all negative, we tried to put a positive light at the end here and save you money.

Chair Varone: Like I said, the intent is not to prohibit but to assist the legal methods to be successful so that's what we're trying to do. Thank you very much.

Proposed Subdivision, Summary Review to be Known as Griffin-Davis, Lot 2 Amended Minor. (cont. from 11/4/03) (Applicant, Brady Vanvliet) (Planner, Frank Rives)

The Commissioners will consider creating one additional lot from an existing 2.6-acre tract, each lot would be for single-family residential use and 1.3 acres in size. The proposed subdivision is located in the NE1/4 of Section 24, T11N, R4W; generally located south of and adjacent to Lincoln Road and west of Applegate Drive. There is no zoning in this area and no agricultural impacts.

Commissioner Murray: Madam Chair, I move approval subject to eleven conditions as proposed by staff.

Commissioner Tinsley: Second.

Chair Varone: Discussion if we may.

Commissioner Murray: Madam Chair, I move to remove condition number 5 and reduce the fee from \$400 to \$200 for the West Valley Fire Department.

Commissioner Tinsley: Second.

Chair Varone: All those in favor

Commissioners: 'I'

Commissioner Murray: Madam Chair, Commissioner Tinsley. I have great concerns that the nitrate levels in this area are twice the threshold for causing, potentially causing mental retardation with youngsters under the age of six. I'm satisfied that in testimony, condition number one will catch these nitrate levels in the two new wells, there's one new well on this property and should the nitrate levels be 20 milligrams per liter, this well will not be allowed is what I'm, staff has advised me and presented in testimony so that's the reason I'm comfortable approving the subdivision.

Chair Varone: Commissioners if I could ask one of you to make a motion to for the prohibition of keeping of large animals however that language staff has put together.

Commissioner Murray: So moved.

Commissioner Tinsley: Second.

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

Commissioners: 'I'

Chair Varone: All those in favor of the proposal as amended, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries

Commissioner Tinsley: Madam Chair, Commissioner Murray, Pardon me, but I have to go catch a plane.

Proposed Subdivision, Summary Review to be Known as Elk Trail Park, Lot 72 Minor. (cont. from 11/4/03)
(Applicant, James Rauber) (Planner, Michael McHugh)

The Commissioners will consider creating two (2) lots, each to be used for seasonal, recreational, single-family dwellings. The subject property is located in the NE Section 13, T15N, R8W; generally located approximately five miles of Highway 200 on Copper Creek Road

Chair Varone: Commissioners, I think we have five variances or four variances we need to consider first. The first variance we need to consider is, a variance to allow a one lot minor subdivision without provided 4:1 sloped ditches on the existing access road per Lewis and Clark County Road Standards.

Commissioner Murray: Madam Chair, I move approval of the variance as proposed.

Commissioner Tinsley: Second.

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

Commissioners: 'I'

Chair Varone: Motion carries. The next one is a variance to allow a one lot minor subdivision without providing a 24-foot driving surface per Lewis and Clark County road Standards. The existing road varies from 16 feet wide graveled surface to 22 feet wide paved surface.

Commissioner Murray: Madam Chair, I move approval of the variance as proposed.

Commissioner Tinsley: Second.

Chair Varone: All those in favor

Commissioners: 'I'

Chair Varone: Motion carries. The next variance is a variance to allow a one lot minor subdivision without providing a 24-foot gravel driving surface per Lewis and Clark County road standards. The existing road varies from 16 feet wide graveled surface to 22 feet wide paved surface, with a small section of road made of native material.

Commissioner Murray: Madam Chair, I move approval of the variance as proposed.

Commissioner Tinsley: Second.

Chair Varone: All those in favor

Commissioners: 'I'

Chair Varone: Motion carries. The last variance is a variance to allow a one lot minor subdivision using an existing County road that is not a through street per Lewis and Clark County Planner.

Commissioner Tinsley: Madam Chair, I move approval of the variance

Commissioner Murray: Second.

Chair Varone: All those in favor

Commissioners: 'I'

Chair Varone: Motion carries.

Commissioner Murray: Madam Chair, I move approval of proposed subdivision subject to nine conditions recommended by staff.

Commissioner Tinsley: Second. Madam Chair.

Commissioner Murray: Discussion

Chair Varone: Discussion

Commissioner Tinsley: Madam Chair, Commissioner Murray. I was very impressed with Mr. Maygers' testimony and I took into consideration everything he testified on regarding, particularly regarding the possibility of effluent entering the Blackfoot. But given what we know now on the outhouse that is up there now, and given what we know we can have ordered to be put in by virtue of conditions of approval, in my opinion I think it's going to protect the river a lot more than what's up there now. I'd say I love that river as much as you do Mr. Mayger, I fish it often, I didn't get a chance to do it much this year, I had to, I was in the area but I was on fires I wasn't fishing but I think this is the best thing because, the way it is now is not good for the river. What we can do to improve it will make it a safe place, or a safe thing for that river in that one particular spot and so that's why I'm supporting this.

Chair Varone: Thank you.

Commissioner Murray: Madam Chair, Commissioner Tinsley. I agonized over this as much as any subdivision that's come before us. Mr. Maygers testimony, I was very pleased with and he pointed out areas that I think I would have missed as a Commissioner. You're concern for the river, I really appreciate. Right now we have nitrates and hopefully (unknown) that people are throwing over the effluent in their outhouse. As you pointed out, probably going directly into the river. This is going to give County Government, through our Health Department the opportunity to correct this situation as the people are going to put in a septic system, an approved septic system and given the landscape that you've described, probably a septic system won't go in, it will probably be a holding tank. But at least we'll prevent that effluent from entering Landers Fork River and we'll protect the integrity of the stream, which sounds as though that was also your goal Mr. Mayger. The other thing is these people apparently are trespassing on your property to access their lot and in reflecting on that and worrying about that it's incumbent upon you to put 'no trespassing' signs on your property and than allow them to either purchase an easement or let them worry about how they're going to access their property outside of trespassing on your property. So your testimony was very important in my decision in this even though I'm going against what you proposed which was denial. But I think as a result of your testimony we're making this property a better property and protecting the stream and affording you the opportunity to correct a trespassing that exists and that's why I'm going to vote for it reluctantly, but I think we're doing the best for the stream and for the area by approving this and getting Government in there where we have some control over this existing situation. Thank you.

Chair Varone: If I understood the presentation and information that was provided correctly, and maybe I didn't but it was my understanding that there was an easement but it just didn't say what the easement was and maybe that needs to be looked into a little bit more, but for the sake of being a good neighbor, like you have for all these past years, I'm hoping that you understand, and you probably don't because you didn't want us to approve this, but I'm hoping that you understand and when it's done I'm sure you will, that it will help the stream. My big concern is for the fires that are upstream and what it's going to do with polluting the area that you own in the Spring with the spring runoff. I think that really is a big concern, or should be for everybody and how that's going to affect the stream as a fishery for years to come. So, Commissioners I do think we need to address the request of the Community Council in Lincoln. Item 5 K and L, they asked for us to remove those two items. I personally don't support removing either one of them, but if we can take a look at number K

, they say a prohibition of storage of food, maybe it would be better and relieve their anxiety a little if we decide to keep them in just to say that's a notification, L already is a notification and if we just modify that one that might help them a little bit.

Commissioner Murray: Madam Chair, I'm not prepared to cave in on either variance request, that was the message your bringing up as the request of the Community Council and I'm prepared at Lincolns Community meeting tomorrow to explain to the Community Council that the Commission and myself voted against their request to lessen the prohibition. There are grizzly in the area, we know there's grizzly bears, black bears and other animals in the area and I think a prohibition against the storage of food, garbage or feeding domestic pets outdoors by this subdivision is appropriate, I also believe that all we're telling them is we're notifying them that they should worry about deer proofing should they want to have fruit trees and/or a compost pile in the subdivision. We're not prohibiting it, we're notifying them they should take these steps.

Chair Varone: and I agree with that notification. But, I believe notification of storage of foods should be adequate. There's no way we're going to be able to enforce it, but if it's notified on the conditions of approval, once their dog is eaten by a grizzly bear or some other animal I think it's going to be pretty appropriate and a pretty good lesson for them and I was attempting to support the wishes of the Community Council of Lincoln.

Commissioner Tinsley: I believe in keeping both conditions of approval.

Chair Varone: So, that being said, we're not going anywhere with that, but if you would please carry my sentiments that I was not unanimous. All those in favor of supporting the proposed subdivision summary review to be known as Elk Trail Park Lot 72 Minor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries.

Michael McHugh: Commissioners, since I wasn't here, may I ask a question. Did you act on all the variances?

Chair Varone: Yes, we passed them all. Okay. Just checking.

Health Department Contract. (Mike Henderson)

The Commissioners will consider a contract with DPHHS for the WIC Program. The amount of the contract will be \$5485.00

Mike Henderson: Thank you. Madam Chair, the first thing I want to do is correct the agenda. The amount of the contract will increase by \$5,485.00 over last years contract because of small grants and other chances of funding that we've been able to apply for and get done. The actual contract I don't have in front of me but it's in the neighborhood of about \$152,000.00. It is to provide WIC services by nutrition education and food supplements to children up to age five and pregnant and breast-feeding women. We would request approval of contract.

Chair Varone: Thank you Mike and in the summary it says the contract is for \$1,552.00 less than last fiscal year. So, maybe you need to really take a look at the whole contract if you would before we sign it.

Mike Henderson: I guess so.

Chair Varone: Yeah.

Commissioner Murray: Madam Chair, I would move that we approve the WIC contract once the dollar amount is confirmed.

Chair Varone: Second. All those in favor

Commissioners: 'I'

Chair Varone: Motion carries

Commissioner Murray: Madam Chair, I don't want to hold up any additional or potential money we can get for the WIC contract. Mike I want to congratulate you and your staff for seeking additional funding for this program, it's a great program in our County.

Mike Henderson: We're working our (unknown) down there.

Commissioner Murray: Thanks.

Chair Varone: Thank you very much.

Public Comments on Matters Within the Commission's Jurisdiction.

Joan Bishon: No, I'm just representing the Library award. I have a question. The East Valley Middle School has a (unknown) for a public library. And I would love to see, we'd all love to see better signage of that within the East Helena Jurisdiction should I go to the director or go to the East Helena Commission meeting and ask them about that. Now of course the cost may be the reason, but there's those wonderful generic signs and there is absolutely nothing other than a little one right by the school.

Chair Varone: It's in the city limits of East Helena; you do need to go visit with them.

Joan Bishon: Okay, shall do. Thank you very much.

Adjourn.