

PUBLIC MEETING
February 10, 2004

Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioners Tinsley and Varone were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Cheryl Green, Jacalyn Grenfell, Jerry Grebenc, Michael McHugh, Skee Tenneson, Byron Stahly, Robert Throssell, Jason Mohr, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Resolutions Order a Refund of Taxes/Fees/Assessments Paid. Cheryl Green reported Jay and Lisa Roberson have requested a refund of Lincoln Solid Waste fees in the amount of \$127.50. All they have on their land is a garage. Staff recommends approval of the refund. Commissioner Tinsley moved to approve the refund and authorize the chair to sign. Commissioner Varone seconded the motion and it carried unanimously.

Cheryl Green reported Cody Spence has requested a refund of Lincoln Solid Waste fees in the amount of \$270.00. All he has on his land is a garage. Staff recommends approval of the refund. Commissioner Varone moved to approve the refund and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Cheryl Green reported Earl and Marjorie Wahl have requested a refund of Lincoln Solid Waste fees in the amount of \$270.00. All they have on their land is a garage. Staff recommends approval of the refund. Commissioner Tinsley moved to approve the refund and authorize the chair to sign. Commissioner Varone seconded the motion and it carried unanimously.

Cheryl Green reported Colleen and Riki Nichols have requested a refund from the Department of Revenue in the amount of \$20.25 due to an erroneous assessment. Staff recommends approval of the refund. Commissioner Varone moved to approve the refund and authorize the chair to sign, and have the Nichols pick up petty cash at county budget office. Commissioner Tinsley seconded the motion and it carried unanimously.

Missouri River Drug Task Force-2004-2005 Interlocal Agreement. Jaci Grenfell reported this year's agreement has a change on item 2, the sheriff will hire a staff person which will be 100% funded by the Forfeiture Fund instead of through the Burns' grant. This is a cost-savings to the Sheriff's office. Commissioners Varone moved to approve the agreement and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Proposed Resolution Pertaining to Addressing and Road Names. Jerry Grebenc reported the duties and responsibilities of addressing and road naming is now under the authority of the address coordinator position. Staff recommends approval of the resolution. Commissioner Varone moved to approve the resolution with additional language “in instances where disputes cannot be settled it should be resolved by the BoCC” and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Proposed Major Subdivision, Preliminary Plat to be Known as Fox Crossing Major. The applicant, Skee Tenneson, proposed to subdivide an existing twenty (20) acre parcel to create 61 lots. The subject property is generally located 0.5 mile north of Canyon Ferry Road east of and adjacent to Lake Helena Drive. The applicant is present and indicated his willingness to proceed.

Michael McHugh presented the staff report. The applicant has indicated he wishes to make a cash payment in lieu of parkland dedication. The Helena Valley Irrigation Canal is located east of the property along with other private canals. The area is designated as a transitional zone within the new growth policy. There are no zoning restrictions and no covenants on the proposed property. The applicants have established covenants and included the installation of a five-foot high chainlink fence around the irrigation ditch to the east. Staff recommends any easements be shown on the final plat. The homeowners will be required to hire a licensed wastewater operator. The applicant is proposing to build the roads to asphalt standards. The applicant requested that he only be responsible for developing the road and the easement be shown on the final plat. Staff recommends the road easement be developed to the western boundary of the property. All internal roads will be developed to asphalt standard and others to a gravel standard Peccia #3. The applicant and the East Valley Fire Dept have entered into an MOU and a \$200 per lot fee to be paid at the time of closing. Staff recommends the fee be paid at time of final plat. The applicant shall give notice to future developers about the landfill operation. There are no floodplains or steep slopes located on this property. Prior to final platting, staff recommends the applicant be required to install a woven wire fence along the eastern boundary of the property until individual lots are developed and replaced with chainlink fence. A total of 3.419 acres are dedicated for parkland. The county planning board approved the applicant’s request for cash payment in lieu of parkland. Staff recommends approval subject to 21 conditions. The planning board requested staff contact the school district and see if the school bus can pull into the subdivision and collect students. The Director of Transportation stated it is school board policy only to collect students on main roads. Public concerns include impacts of agricultural activities, maintenance of ditches, and free ranging pets. The Planning Board recommended amendment to condition 10 that the applicant provide a designated safe, off road area for school bus pickup. Based on the staff report, the Planning Board recommends approval subject to 22 conditions including condition 10.

Byron Stahly, Stahly Engineering, 2687 Airport Road, representing the applicant, stated there are no significant issues with this proposal. Would appreciate an option on the extension of the portion of the road to the west boundary to either make it a gravel road or fence it.

Robert Throssell, is concerned about the pickup area for school children and the irrigation canal and whose responsibility it is to protect the children.

Hearing no other public comments, the public hearing is closed.

Skee Tenneson, East Helena, would like to use this subdivision to try to get some policies changed for a designated area for children/school buses. He will try to make the ditch as safe as possible with proper fencing.

Commissioner Tinsley moved to render a final decision February 24 at 9:00 a.m. Commissioner Varone seconded the motion.

Commissioner Varone offered a substitute motion to continue the public hearing to February 24 to allow the Public Works Director at the meeting to discuss plowing the roads. Commissioner Tinsley seconded the motion and it carried unanimously.

Public Comments. None.

There was no other business and the meeting adjourned at 10:16 a.m.