

SUBDIVISION MEETING

April 14, 2005

Chairman Ed Tinsley called the meeting to order at 9:00 a.m.

Commissioner Murray is present. Commissioner Varone is absent attending a NACo conference in Sparks, Nevada. Others attending all or portion of the meeting included Ron Alles, Michael McHugh, Libbi Lovshin, Mark Dowdy, Christal Ness, Bill Ries, Richard Cary, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the Pledge.

Request for Modification of Conditions of Approval for the Duthie Minor Subdivision. (Applicant, Richard Cary) The commissioners will consider the modification of Condition #5 which required the applicant to comply with county road standards and subdivision regulations for legal and physical access and to improve Barraugh Road.

Michael McHugh reported the condition included a modification of condition #5. There is only a 30 foot right of way along the portion of the property adjacent to Green Meadow Salvage yard. Requesting 40 foot row. Originally decided there was sufficient evidence and it is up to applicant to provide additional information. In 1996 a minor subd was granted approval and granted a variance for an existing row width. Comments by property owners talking about potential development and safety concerns in this area.

At the time of the condition of approval there was not evidence

Bill Ries, representing the applicants. At the time of the hearing, a non-binding document filed in the 70's, found the doc was randomly filed. Only granting 10 feet because it would encroach into the garage.

Loretta Miller, owners of Green Meadow Auto Salvage. Barraugh Road. The culdesac in the new subd is more than 1000 feet---Green Meadow is the only access to that area. None of the roads align. If they got the access, half of the road is not going to be straight. The fire trucks and emergency vehicles have a hard time because of the 30 foot road. The school bus stops at the corner. There is no compelling reason that this variance should be granted.

John Edmond, 7350 Two Bit Circle Drive. Opposed to this proposal to take the road north. If the road is taken to the south—that's fine. His well has been dry for two years. The garage should not have been built. When the Clink subd was put in—the county took 60 feet from the subdivision.

Hearing no other comments, the public hearing is closed.

Commissioner Murray asked the definition of a non binding easement.

Michael McHugh. The doc filed the property owner at that time did not sign that

document so it is not binding.

Commissioner Murray moved to render a decision Tuesday April 19. Commissioner Tinsley seconded the motion and it carried 2-0.

Lewis and Clark County Health Department Contract. Libbi Lovshin reported the contract renewal with DPHHS for Community Based Services. July 4-June 2007. Commissioner Murray moved to approve the contract and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

Amendment to Business Associate Contract with the Cooney Home. (Mark Dowdy) The commissioners will consider an amendment regarding Security Standards for Electronic Protected Health Information. Effect April 20, 2005 new security standards to add language to associate contract. Agree to use appropriate safeguards to protect health information. Commissioner Murray moved to approve and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

Resolution Declaring County Property Surplus Property. Ron Alles reported the resolution for 5 Motorola portable radios will be donated to Broadwater County. The VHF radio and microphone will be surplus from DES. Commissioner Murray moved to approve and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

Contract and Encroachment Agreement. Christal Ness reported the contract with John Martinz regarding the 1 foot building encroachment on the south side of Leslie Street which encroaches into the Leslie Street Right of Way for approximately 50 feet, as shown on the attached encroachment survey. Has been inspected and approved the encroachment agreement by PW. Staff recommends approval of the agreement. This is a temporary agreement that may be revoked. Commissioner Murray moved to approve the contract with and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

Public comments on items not mentioned above. None.

There is no other business, the meeting adjourned at 9:38 a.m.