

**PUBLIC MEETING**  
**May 31, 2005**

Chairman Ed Tinsley called the meeting to order at 9:00 a.m. Commissioner s Varone and Murray are present. Others attending all or portion of the meeting included Ron Alles, Jerry Grebenc, Frank Rives, Libbi Lovshin, Marni Bentley, K. Paul Stahl, and Carole Byrnes.

**Pledge of Allegiance.** Everyone recited the Pledge.

**Consent Action Items.** Ron Alles reported on the items.

- a. Resolution ordering a refund of taxes/fees/assessments paid. Randy and Charlotte Robertson, \$99.47. (Assessment Deferred Until Next Year).
- b. Contract Renewal with Ryan White Title III Services with Partnership Health Center in the amount of \$4,000.
- c. Request for One-Year Extension of Preliminary Plat Approval for the Hayfield Estates Major Subdivision. (Applicant, Doug Sparrow) (Planner, Jerry Grebenc). Extend to May 1, 2006.
- d. Request for One-Year Extension of Preliminary Plat Approval for Austin Minor Lot B Amended Subdivision. (Applicant, Bill Bahny) (Planner, Frank Rives). Extend to March 25, 2006.
- e. Final Plat Approval for Holter Lake View Tracts, Lot 9 Minor Subdivision. (Applicant, Marvin DeBuff) (Planner, Frank Rives)
- f. Montana Noxious Weed Trust Fund Grant Agreement. Special \$6,200 grant from Montana Department of Agriculture to hire a planner to work with landowners to develop noxious weed management plans for compliance, May through October.
- g. Bureau of Reclamation Grant Agreement. Weed Control at Canyon Ferry Reservoir, \$12,000
- h. Resolution Declaring County Property Surplus Property. 18 items from Cooney Home with individual values less than \$2,500.
- i. Resolution Declaring County Property Surplus Property. 3 items: 2 from Health and 1 from Extension, all with individual values less than \$2,500. (Extension donated the 1985 pickup to School District #45).

Commissioner Murray moved to approve the consent items. Commissioner Varone seconded the motion and it carried unanimously 3-0.

**Montana Department of Transportation MOA-South Helena Interchange.** Ron Alles reported the Memorandum of Agreement for Jefferson County, MDT and City of Helena, is for development of south Helena interchange. Staff recommends approval of the agreement. Commissioner Varone moved to approve the MOA and authorized the chair to sign. Commissioner Murray seconded the motion and it carried unanimously 3-0.

**BLM Land Management Planning Stakeholder Working Groups.** Michael McHugh reported that the BLM is proposing to form stakeholder groups to look at travel management plans on BLM properties such as scratch gravel hills, North hills, and the Marysville area. BLM is asking Lewis and Clark County to sponsor the stakeholder groups by approving the list attached to the memo dated May 24, 2005. Steve Hartman was the BLM representative present. Commissioner Murray moved to approve and authorized the chair to sign. Commissioner Varone seconded the motion and it carried unanimously 3-0.

**Resolution Of Intention To Alter The Boundaries Of The Lakeside Fire Service Area To Annex Adjacent Land.** (tabled from 5/19/05).

Marni Bentley reported that the petition met statutory requirements, which required 30 landowner's signatures and they have 37 landowner's signatures. The public will be able to protest at three different times (public meetings) before a final decision will be made. If the resolution is passed today, it just opens up the process, but does not change anything at this time.

Commissioner Varone asked Deputy County Attorney, K. Paul Stahl, to provide information on how it got to this point so far.

Paul Stahl reported that a meeting was held out at Lakeside with staff from the planning department. The meeting was held to inform the public about the process. The meeting was also held to explain the fire district annex. The petition to annex was explained. Nothing alleged illegal concerns this current annex.

Commissioner Murray moved to approve the resolution and authorized the chair to sign. Commissioner Tinsley seconded the motion. Commissioner Varone opposed. Commissioner Varone stated that she was concerned because of information provided to her by the public regarding trustee meeting notification. She stated that the trustees are elected officials and should serve the public. She is concerned regulations were not followed in the past. The merger of two fire departments, one with a debt and one without a debt, should be first discussed further with the public.

Commissioner Tinsley stated that Deputy County Attorney K. Paul Stahl stated earlier that the process they are starting is legal and proper. The public will be involved and able to comment on 3 separate occasions in the upcoming process. He stated he is taken aback by the unsubstantiated allegations made by the public since he has never heard anything from Commissioner Varone until today. Commissioner Tinsley said the public process is working and will continue to work and guarantees as Chairman that the public will get the opportunity to comment one way or another.

Commissioner Murray stated that his purpose of moving on the resolution is to engage public testimony and public access. The fact the Fire Boards may or may not have had properly advertised the meetings are outside the scope of today's resolution. The Commissioners received a valid petition from the public and this process allows all residents to participate. All residents served by these two fire departments now have the opportunity to speak and have us consider combining the two departments. If the motion passes, the process starts today. We encourage and ask the public to come forward to testify or submit written documentation on their views. There is nothing illegal in my motion, it's to give the public an opportunity to speak.

Commissioner Varone stated that she does understand K. Paul Stahl's statements. She said there was a meeting held on this subject in the past. She wants the public to know she is going to vote for the resolutions because they are separate, but how they got to the resolutions she thinks was inappropriately handled and should have been done better.

Commissioner Tinsley thanked Fire Chief Meyering and Fire Chief Shepherd for their dedication for little or no pay.

Commissioner Tinsley and Commissioner Murray made a motion to approve. Motion passed 2-0

**Resolution Of Intention To Re-Name The Lakeside Fire Service Area As Tri-Lakes Fire Service Area.** (tabled from 5/19/05). Commissioner Murray moved to approve the resolution and authorize the chair to sign. Commissioner Tinsley seconded the motion.

Chairman Rich Meyering: The 3 lakes are Lake Helena, Hauser Lake and Canyon Ferry. The name change was approved by each board of directors.

The motion carried unanimously.

**Resolution Of Intention To Dissolve The Canyon Ferry Fire Service Area** (tabled from 5/19/05). Commissioner Murray moved to approve the resolution and authorized the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

**Public comments on matters not mentioned above.** None.

There is no other business, the meeting adjourned at 9:30 a.m.