

DRAFT – NOT APPROVED BY BOCC

NOTICE OF PUBLIC MEETING
November 1, 2005

Chairman Ed Tinsley called the meeting to order at 9:00 a.m. Commissioner Murray and Commissioner Varone are present. Others attending all or portion of the meeting included Ron Alles, Jerry Grebenc, Jaci Grenfell, Craig & Cheryl Riley, Lindsay Morgan, Cheryl Liedle, Bruno Spencer, and Maria Penna.

Pledge of Allegiance. Everyone recited the pledge.

Chairman Tinsley: Good Morning and welcome to our regularly scheduled Tuesday morning meeting. I'm Commissioner Tinsley. To my left is Commissioner Varone. To her left is Maria Penna, our Executive Assistant. To my right is Commissioner Murray, to his right is Ron Alles, our Chief Administrative Officer and to his right is Jerry Grebenc our Director of Community Development and Planning.

There is a sign in sheet right at the front row as you're facing the dais, please sign in if you would so we can include it into the public record. There should be some agendas there as well. First item on the agenda is Consent Action Items. Mr. Alles.

Consent Items.

Ron Alles:

- a. Montana Department of Transportation, Highway Traffic Safety Office, Contract #2006-09-02-17, 2006-11-03-17 Lewis and Clark County STEP Grant. It is for the Selective Traffic Program. Contract amount is \$13,500.
- b. Grant from Department of Homeland Security, Office of Domestic Preparedness SHSGP, for \$175,000.00 for Phase II Stonewall and Augusta radio sites.

Staff recommends approval of these. If you have any questions our Sheriff is here and the Finance Coordinator for the Sheriff is here as well.

Chairman Tinsley: Questions of Staff or the Sheriff? Is there a motion?

Commissioner Murray: I move approval and authorize the Chair to sign.

Commissioner Varone: Second.

Chairman Tinsley: We have a motion and a second. Any discussion? All in favor of the motion signify by saying Aye.

Commissioner Murray & Commissioner Varone: Aye.

Chairman Tinsley: Aye. Motion passes 3-0. Sheriff, I'll get this signed and get it up to Carole or Maria for you. Thank you.

Next item on the agenda is the proposed subdivision to be known as Glacier Point Major Subdivision. The Applicants are Craig & Cheryl Riley. The Planner is Lindsay Morgan. This was continued from October 13th of 05. Today is decision day. Miss Morgan.

Proposed Subdivision to be known as Glacier Point Major Subdivision.

Lindsay Morgan: Good morning Commissioners. One thing that I would like to point out is in the Conditions of Approval; the Planning Board eliminated my original Condition No. 10 and in talking with the Montana Department of Transportation, they fully agreed with Condition No. 10 being reinstated. I guess, and then also I talked with the Applicants and they are agreeable to move that, if they don't relocate the approach the Montana Department of Transportation will not give them an approach at that location.

Chairman Tinsley: Why did the Planning Board delete No. 10? I don't recall that.

Lindsay Morgan: Originally they proposed to, when I guess when they submitted their preliminary plat application, they proposed to have their approach on the eastern side of the property, and I had requested in my staff report, that they move it further west because in case that Forestvale interchange ever happens it would be better if it was further away from where that interchange would be located. When the engineer talked with the Planning Board he said that where they had located it, it was still in compliance with the Montana Department of Transportation would allow a front approach to be located, but it actually was located too far east and so Staff recommended that it be moved to the west so that in the future they'll actually be able to get a permit from the Montana Department of Transportation plus Staff wants it further west so that it won't ever interfere with an interchange if one is ever located there.

Chairman Tinsley: Ok. Questions for Staff?

Commissioner Murray: Mr. Chair.

Chairman Tinsley: Commissioner Murray.

Commissioner Murray: Mr. Chair, Commissioner Varone, Miss Morgan. Would you speak to the variance also, please?

Lindsay Morgan: The Applicants are requesting a variance for Valley Speedway Drive. That's that portion that's actually located outside their proposed development. In some cases it's got a 40' right of way and in other cases it has a 30' right of way. The Applicants are requesting that they not have to provide a 60' right of way and instead will install curb and gutter on Valley Speedway to mitigate that issue.

Commissioner Murray: Thank you.

Chairman Tinsley: Questions or comments for Staff? Is there a motion?

Commissioner Varone: Mr. Chair, I make a motion to approve the variance requested as explained by Staff and authorize the Chair to sign if necessary.

Chairman Tinsley: We have a motion to approve the variance.

Commissioner Murray: Second.

Chairman Tinsley: And a second. Any discussion? Any discussion on the variance?

Commissioner Murray: Mr. Chair, Commissioner Varone.

Chairman Tinsley: Commissioner Murray.

Commissioner Murray: I'm assuming the, in either the variance or Commissioner Varone is

going to make a motion adding that curb and gutter be part of what the variance is.

Chairman Tinsley: Miss Morgan.

Lindsay Morgan: That's actually in the Condition of Approval now. I can double check, but I believe it's, yeah, they have to improve that portion that's located outside of the development to the curb and gutter standard, already in the Conditions of Approval.

Commissioner Murray: Thank you.

Chairman Tinsley: Further comments or questions regarding the variance?

I would like to make a comment. I would like to say that I appreciate the willingness of the Applicants to go the extra step in doing what they have agreed to do in regards to Valley Speedway, however, I took a ride out there and I just think it's way too skinny. I won't be supporting the variance. I will be supporting the subdivision, but I cannot support this variance request. I think it's just too skinny of a road at 30' in some places, but I do appreciate your willingness to step up to the plate and doing what you can to mitigate the width of that road. Unfortunately, for the residents in that area, it's going to be a little too skinny.

Commissioner Varone: Mr. Chair?

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair, if I could just comment on that. As I recall and as I read the information this is a secondary means of egress and will only be used in case of emergency for the most part and the way the subdivision is designed is to enter and to leave from the main area and that they, the applicant is not only willing but is in supportive of making the neighborhood a better place to live. I just think that that's just not too much of an issue at this point, hopefully.

Chairman Tinsley: Commissioner Varone, if you recall the Applicant's own engineers estimated that the traffic would be 50%. There's an 800+ trips per day additional and they estimated it would be 50% on Valley Speedway and 50% on the new Forestvale, which is significant, in my opinion.

Commissioner Varone: Mr. Chair, Commissioner Murray. I don't believe that I recall that statement.

Chairman Tinsley: If you look in the Planning Board discussion that's where I recall seeing it. However, we're well on our way to this vote. Is there any more comment regarding the variance? All in favor of granting the variance signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Opposed, same sign. Aye.

Chairman Tinsley: Motion passes 2-1.

Chairman Tinsley: Commissioners you now have before you the Glacier Point subdivision. The Applicants are Craig and Cheryl Riley and there are 28 Conditions of Approval as recommended by Staff and amended by the Planning Board. Are there any discussions on the Conditions of Approval?

Commissioner Varone: Mr. Chair?

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair do we need a motion first?

Chairman Tinsley: That's a good point. Lets do that first. (Laughter)

Commissioner Varone: Mr. Chair I make a motion to approve the proposed major subdivision, preliminary plat to be known as Glacier Point Major Subdivision including the 28 Conditions of Approval and authorize Chair to sign.

Chairman Tinsley: We have a motion. Is there a second?

Commissioner Murray: Is it the 28 conditions as proposed by the Planning Board?

Commissioner Varone: We can do it either way.

Chairman Tinsley: We can correct them after we get going, but that's the motion. Is that correct?

Commissioner Varone: Correct.

Chairman Tinsley: That's the motion.

Commissioner Murray: Second.

Commissioner Varone: Mr. Chair?

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair, I make a motion to reinstate Condition of Approval No. 10 as recommended by Staff and approved by MDT.

Commissioner Murray: Second.

Chairman Tinsley: We have a motion and a second. Discussion? Lindsay, is that all we need to do in regards to your advice correct?

Lindsay Morgan: I guess that would be correct. When the Planning Board eliminated that condition they renumbered everything so you may want to I guess add that specific condition from the Staff report and put it in as maybe Condition No. 29.

Commissioner Murray: That's what I was trying to decide if it's the Planning Board or Staff's.

Chairman Tinsley: Commissioner Varone is that OK with you?

Commissioner Varone: Whatever works.

Chairman Tinsley: She accepts the friendly amendment. We have a motion and a second as amended by friendly amendment to add the condition from the original Staff report and make a new condition as No. 29. Is that correct?

Lindsay Morgan: That's correct.

Chairman Tinsley: Leaving the change that was created by the Planning Board.

Lindsay Morgan: That's correct.

Chairman Tinsley: Any further discussion? All in favor of the motion signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Aye. Motion passes 3-0. Any further amendments or discussion?

Commissioner Murray: Question.

Chairman Tinsley: Question's been called. Commissioners you now have before you the Glacier Point Subdivision with 29 Conditions of Approval as recommended by the Planning Board Staff and amended by this Board. All in favor of the motion signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Motion Passes 3-0. Congratulations. Work with Staff and they will get you through the process. I would like to point out, on behalf of the County Commission, our deepest sympathy to the Applicants and the relatives of the Engineer, Mr. Wagner, who passed away last weekend. Thank you.

Anything further to come before this Board, now is the time for public comments on matters not mentioned above? Any public comments on anything not on the agenda this morning? Seeing none, we stand adjourned. Thank you for coming this morning.

Public comments on matters not mentioned above. None

Adjourn. Adjourned at 9:11 a.m.