

PUBLIC MEETING
July 15, 2014
MINUTES

The Lewis and Clark County Commissioners Public Meeting will be held on Tuesday, July 15, 2014, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chair Susan Good Geise called the meeting to order at 9 a.m. Commissioner Andy Hunthausen was present. Commissioner Murray was excused out of the state on County business and will be back end of the week.

Others attending all or a portion of the meeting included Eric Bryson, Katie Jerstad, Michelle Peterson-Cook, Kyle Thomas, Audra Zacherl, Paul Spengler, Greg McNally, Lindsay A. Morgan, Frank W. Rives, George Thebarga, Aaron and Jessica Reller, Julie Doris, Glenn Hayes, Jerry Shepherd, Tony Prothero, and Anne Todd Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Introduces Staff Members.

Consent Action Items. (Eric Bryson)

- a. Resolution 2014-77 Declaring County Property Surplus Property. (Amy Reeves)

Eric Bryson presented Consent Agenda Item 2.a and recommended approval.

Commissioner Hunthausen moved approval of Consent Action Item 2(a) and authorizes Chair to sign.

Commissioner Good Geise seconded the motion. Motion carried 2-0.

Bid Award. 2014 Chip Seal Resurfacing. (Audra Zacherl) The Commissioners will consider awarding the bid. Audra Zacherl. On July 10th two bids were received and opened for the 2014 Chip Seal Surfacing Project. The Project generally consists of chip seal surfacing approximately 35 miles of various widths and paint striping approximately 16.93 miles of various county roads and RID's.

Audra Zacherl stated on July 10th two bids were received and opened for the 2014 chip seal surfacing Project. The Project generally consists of chip seal surfacing approximately 35 miles of various width and paint striping approximately 16.93 miles of various county roads and RID's. After review of the bids by the selection committee, staff recommends awarding the contract to the low bidder, Pavement Maintenance Solutions from Columbia Falls, Montana for a total bid amount of \$782,058.64 and authorized the Chair to sign all applicable contract documents.

Commissioner Hunthausen moved to award the Bid for the 2014 Chip Seal Resurfacing Project to, Pavement Maintenance Solutions from Columbia Falls, Montana for a total bid amount of \$782,058.64 and authorize Chair to sign.

Commissioner Good Geise seconded the motion. Motion carried 2-0.



FFY2014-15 Emergency Management Performance Grant (EMPG) EW-2014-EP-00006 Award. (Paul Spengler) The Commissioners will consider the grant award in the amount of \$54,274 for the period of October 1, 2014 to September 30, 2015.

Paul Spengler asked the Commission to accept the award for the Emergency Management Performance Grant for \$54,274 which would essentially pay for half of the cost for our Emergency Management Program. The grant is made available by FEMA to encourage jurisdictions to have active robust emergency management programs. The money has been awarded and asked to accept the grant for federal fiscal year beginning October 1, 2014.

No public comment was received.

Commissioner Hunthausen moved approval of the FFY2014-15 Emergency Management Performance Grant as presented.

Commissioner Good Geise seconded the motion. Motion carried 2-0.

Public Hearing. Subdivision Variance for Lots 9 and 10 of the Amended Plat of Lot 2, Timberworks Estates (Phase I) [A.K.A. Timberworks Estates (Phases II and III)].

(Applicant: Frontier Builders, Inc.) (Planner: Greg McNally) The Applicant is requesting a variance from Chapter XI.1.2 (Appendix J 3.5) of the County Subdivision Regulations to be allowed to have more than one driveway approach on Lots 9 and 10 which are addressed as 7534 and 7544 Roughsawn Drive. The Commissioners will accept public testimony and then consider the request.

Greg McNally explained and presented the variance for Lots 9 and 10 of phase 2 of Timberworks Estates. The subdivision regulations states that no lot shall have more than one approach. The variance request is to allow the applicant to apply for a multiple driveway approaches on lot 9 and 10 of this subdivision. Notice was scheduled before the County Commission and a legal ad was posted in the Independent Record. As of July 9, 2014 no written public comment has been received.

Commissioner Hunthausen with no public comment written or oral other than the finding of fact that was contributed by Charter Communications and based on those findings those 12 findings of fact and conclusions of law moved that the Commission besides the Applicant has demonstrated the required requested variance and the Applicant has demonstrated the requested variance did meet all four of the standards in Section 2 Subsection B of one Lewis and Clark County Subdivision Regulations moved that we approve the request.

Commissioner Good Geise seconded the motion. Motion carried 2-0.

Public Hearing. Subdivision variance for 55 Lazy JC Drive. (Applicant: Aaron Reller) (Planner: Lindsay A. Morgan) The Applicant is requesting a variance from Chapter XI.1.2 (Appendix J 3.5) of the County Subdivision Regulations to be allowed to have two additional driveway approaches on his lot. The Commissioners will accept public testimony and then consider the request.

Lindsay Morgan presented a request for a variance and explained the drainage format and issues. Mr. Reller, owner of property commented that he will do what it takes to fix the problems and why he needed to have two additional driveway approaches.

Joe Merrill and Julie Davis commented that they are not against the approaches, if built properly and expressed their concerns of the weeds and vegetation requirement not being followed thru with and concerned that there is five houses on a minor subdivision.

Public Meeting. Default of the Subdivision Improvements Agreement for the Approved Major Subdivision known as The Amended Plat of the Bridge Creek Estates Subdivision (Applicant: Philip Wirth) (Planner: Frank W. Rives) The Commissioners will consider the default of the Subdivision Improvements Agreement for Fire Protection Improvements of the Amended Plat of the Bridge Creek Estates. Final plat approval was granted on September 18, 2013.

Frank Rives presented the improvements that were needed to be made, requirements of the expiration of the agreement and provided correspondence to support the recommendation he made to not request the payment of \$25,000 of letter of credit.

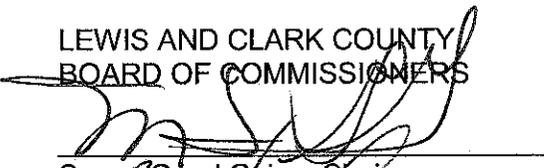
Tony Prothero spoke and reiterated how and why the default came about and of the problems encountered, the measures that were taken to become in compliance.

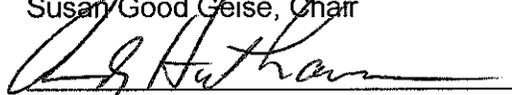
Fire Chief Jerry Shepherd mentioned the testing procedure and results and verified all the subdivision is in compliance now.

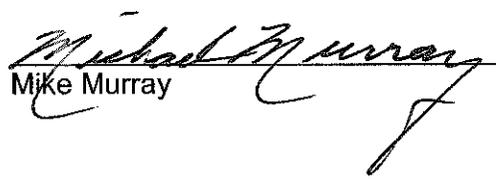
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

There was no further business and the meeting adjourned at 9:50 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Susan Good Geise, Chair


Andy Hunthausen


Mike Murray

ATTEST:


Paulette DeHart, Clerk of the Board