

**PUBLIC MEETING
July 17, 2014
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, July 17, 2014 at 10 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 10 a.m. Commissioner Andy Hunthausen and Commissioner Mike Murray were present. Eric Bryson was absent and excused. Others attending all or a portion of the meeting included George Theborge, Katie Jerstad, Marni Bentley, Kyle Thomas, Aaron Reller, Frank Rives, Ken Frost, Dave Gates, Jessica Reller, Julie Davis, Joe Merrill, Lindsay A. Morgan and Anne Todd, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (George Theborge) A Vendor Claims Report for the Week of July 14, 2014. (Marni Bentley)

George Theborge presented the Vendor Claims Report for the Week of July 14, 2014.

Commissioner Murray moved approval of Consent Action Item 2a.

Commissioner Hunthausen seconded the motion. Motion carried 3-0.

Bid Opening- 11th Avenue Sidewalks, Project #STPE 5899(48) (Kyle Thomas) The Commissioners will consider opening the bids.

One bid was received from Helena Sand and Gravel - \$171,700.

Commissioner Murray moved approval of Project #STPE 5899(48) asking staff to take bid under advisement rendering a recommendation Tuesday, July 22nd at the regularly scheduled meeting.

Commissioner Hunthausen seconded the motion. Motion carried 3-0.

Subdivision Variance for 55 Lazy JC Drive. (Tabled from 7/15/2014) (Applicant: Aaron Reller) (Planner: Lindsay A. Morgan) The Applicant is requesting a variance from Chapter XI.I.2 (Appendix J 3.5) of the County Subdivision Regulations to be allowed to have two additional driveway approaches on his lot.

Lindsay Morgan presented the variance for 55 Lazy JC Drive requesting two additional driveway approaches at 55 Lazy JC Drive made by the property owner, Aaron Reller. On Tuesday, June 15th questions arose regarding weeds on the property, whether or not the road side ditches and retention ponds were vegetated after constructed. An examination of the original subdivision file for the Lazy JC Acres Subdivision was performed finding a five year weed management plan reviewed and approved by the County Weed District in October of 2002.

Lindsay Morgan stated the plan only applies to noxious weeds expiring in 2007 and stated the examination did not find anything specific in the file that stated that seeding had been completed and can only assume it was completed based on the fact that this subdivision was final platted and that there is no subdivision improvement agreement.

Commissioner Murray was out traveling on county business and will be abstaining.

Commissioner Hunthausen moved to approve the motion. Motion carried 2-0.

Resolution No. 2014-79 To Establish a new Fee Rate for the Water Quality Protection District in Lewis and Clark County pursuant to Section 7-13-4523, MCA (Kathy Moore)

The Commissioners will consider the resolution to increase water quality district fees by 10% to provide for the cost increases in rent, insurance and personnel costs.

Commissioner Murray moved to table the Resolution to Establish a New Fee Rate for the Water Quality Protection District in Lewis and Clark County until next Thursday, July 24th.

Commissioner Hunthausen seconded the motion. Motion carried 3-0.

Request for an Extension of the Completion Date for a Subdivision Improvements Agreement Covering Infrastructure Improvements for a Major Subdivision Known as Amended Plat of Bridge Creek Estates Subdivision (Applicant: Phil Wirth) (Planner: Frank W. Rives)

The Commissioners will consider a request for an extension of the completion date for a Subdivision Improvements Agreement for the Amended Plat of Bridge Creek Estates Subdivision located W1/2 of Section 17, T11N, R3W, one-third of a mile north of the junction of Lincoln Road and North Montana Avenue, and is west of and adjacent to Interstate 15. Final approval of this Subdivision was granted on September 18, 2013 with an Improvements Agreement and financial guarantee. The completion date for this Agreement will expire on May 18, 2015. In addition to the consideration of this request, the Commissioners will also receive any associated public comment related to the proposed extension.

Frank Rives presented the extension asking Commission to consider a one year extension of subdivision improvements agreement for those other improvements or the amended plat of Bridge Creek Subdivision, which has not been completed. The amended plat was platted on September 18, 2013. The sub divider had requested that the Commission extend the current SIA to financially guarantee those as yet uncompleted improvements and provided an irrevocable letter of credit from Valley Bank in the amount of \$73,208 expiring in June 18, 2015. As part of the Subdivision Improvements Agreement they would need to complete their improvements by May 18, 2015.

No public comment was received.

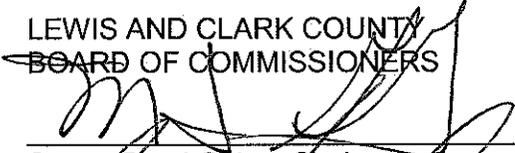
Commissioner Hunthausen moved the approval of the extension and to accept the letter of credit.

Commissioner Murray seconded the motion. Motion carried 3-0.

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 10:56 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair



Andy Hurthausen



Mike Murray

ATTEST:



Paulette DeHart, Clerk of the Board