

NOTICE OF PUBLIC MEETING

August 26, 2003

Chair Varone: This is a regularly scheduled public meeting, today is Tuesday, August 26th, it's about 9:00 a.m. To my left is Commissioner Murray, to his left is Carole Byrnes our executive secretary, to my right is Commissioner Tinsley, to his right is Sharon Haugen our director of planning, to her right is Ron Alles our Chief Administrative Officer. My name is Anita Varone.

Others attending all or part of the meeting: Paul Spengler, Debbie & Tim Gunderson, Janet Pallister, Jerry Shepherd, Dennis Iverson and Jason Mohr.

Pledge of Allegiance. (Everyone recited pledge)

Homeland Security Assessment Consulting Agreement. (cont. from 8/21/03) (Paul Spengler).

The Commissioners will consider the agreement with Bill Fleiner.

Paul Spengler: Madam Chair, Commissioners, Good Morning. I was asked to survey local consultants for a range of fees that would be considered by them for a homeland security capability and need assessment for the county and before I review the range of fees, I wanted to make sure the Commission received Mr. Fleiner's letter dated August 20th with his packet, if not, I would like to read it it's very short as a introduction to the presentation if I may. 'Board of County Commissioners, greetings. I provided you a packet evaluating the threat vulnerability grant process for Lewis and Clark County from the United States Homeland Security Office of Domestic Preparedness for War Fund State Homeland Security Grant II through the Department of Military Affairs Disaster Emergency Services. The contract has already been submitted to you for your review and approval with respect to me completing the threat and vulnerability assessment and assisting Paul Spengler, DES Coordinator and the local emergency planning committee with a budget process. I met with the managers of this program at Montana Disaster Emergency Services regarding this process. The overview best captures the general theme I was able to determine was the long term (unknown) study assessment and leading ultimately to receiving allocated funds. Upon approval or disapproval of the contracts made to you I will either conclude my services or I will continue to proceed and meet the obligations contained in the scope of work and complete the assessment process. Best Regards, William D. Fleiner, Consultant.' The survey that I conducted upon your request resulted in four consultants, submitting a range of what they would charge for the survey for this capability assessment for homeland security. Bruce Suenram from Fire Logistics said he would charge between \$85.00 & \$100.00 per hour. Dan Hawkins who owns a local security firm, I don't have the name of it, said that he would charge between \$40.00 & \$60.00 per hour. Val Jaffee, also a local consultant who did our earthquake program for us last year for 6 months said she would charge between \$30.00 & \$70.00 per hour. James Stilwell of Canyon Consulting in Butte said he would charge between \$35.00 & \$70.00 per hour.

Chair Varone: Thank you Paul, I appreciate that. Considering that the bid for Mr. Fleiner is \$25.00 per hour for drive time and \$50.00 per hour for general work is well within or lower than anyone else that's submitted so I appreciate that. Commissioners?

Commissioner Murray: Madam Chair, I would vote we enter into a agreement with Bill Fleiner for the development of the contract and we cap the consulting fee at \$5,000.00 allowing an additional \$250.00 for miscellaneous costs, \$250.00 for travel for a total cost of \$5,500.00 with additional expenses as needed once the \$5,000.00 is consumed. I again, I would entertain Mr. Spengler and Mr. Fleiner explaining why the contract should be increased.

Chair Varone: Okay, and I'll second. Commissioners, discussion if I could. I would just like to add some language to the contract under exhibit B with fees, exhibit would be professional fees, #3 says Federal Mileage Reimbursement, #4 say per diem reimbursement meals and hotel costs as required. If we could just add the word 'federal' per diem reimbursement that's what the County has adopted and if it's all right with the Commissioners, I'll just pencil it in to make it clearer.

Commissioner Murray: Madam Chair, why don't we put in County. Since he's a county consultant.

Chair Varone: I don't have a problem with that.

Commissioner Murray: I'd second your motion or make the motion. Ron?

Ron Alles: Madam Chair, I just wanted to remind the commission that the last, as this was discussed before you wanted a completion date put into the contract.

Chair Varone: I believe there is a requirement for a completion date, isn't there Paul?

Paul Spengler: The contract calls for up to six months of work, the completion date for the homeland security capability assessment to be returned to State Disaster Emergency Services is August 30th, I'm sorry, September 30th so we essentially have 5 more weeks.

Chair Varone: So we're kind of restricted as it is, so.

Paul Spengler: The reason for the six month term is then we go from the assessment to working with the vulnerability assessment group to determine priorities to address our needs shortfall which is part of the capability assessment.

Chair Varone: Commissioner Murray?

Commissioner Murray: Madam Chair, I move a term be set for January 31st, 2004.

Commissioner Tinsley: Second.

Chair Varone: All those in favor of the term, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Any more questions or comments before we vote on the contract. Commissioner Tinsley?

Commissioner Tinsley: Madam Chair, my microphone is extremely loud, I apologize.

Chair Varone: Is mine, does mine sound funny out there?

Commissioner Tinsley: I feel like Barry White. Madam Chair, Commissioner Murray, I am going to oppose this contract and I just want to get it on the record why I do. I believe the process, with Mr. Spengler producing at least four consultants in the immediate area that could do this job, that we didn't even consider them that's one reason. The amounts that they charge are equitable or maybe even a little less than what Mr. Fleiner is charging. The homeland security coordinator, Sheri Lanz indicated in two letters in July which are included in this packet that Dan Hawkins who is also listed as one of the potential consultants that could have done this is available to assist and had been retained by the homeland security coordinator of Montana Disaster and Emergency Services is available to assist local agencies in completion of this assessment, likewise, it also said that Terry Young has been retained as our homeland security planner and he would be able to coordinate this assessment and I think it would be another resource which we could use which leads me to my third conclusion. In Mr. Fleiner's packet he indicates in his conclusion summary that this particular grant requires coordination and 'is not likely going to be able to be managed by any existing personnel within Lewis and Clark County who has assigned duties and job description' and I disagree with that. I think we have the experts that are in the 'know' on this we have the experts that are going to have to implement this and I think we have the experts that should be doing this and that's why I am going to oppose this. I would also ask that we correct some of the spelling errors that we found in this, if we are going to be competing for upwards of a million dollars, which is what I recall from the last meeting, we need a document that's not, that's professional looking and the word professional is spelled correctly. Thank you.

Chair Varone: If I could make, just respond. I appreciate your comments Commissioner and your reasons that you've told us, but for the record, Mr. Fleiners rate is lower. His rate is \$25.00 per hour for travel time and \$50.00 per hour for work and as I see it here, Bruce Suenram who is the highest is \$85 - \$100 per hour, the next highest is Dan Hawkins \$40 - \$60 an hour or James Stilwell \$35 - \$70 per hour and Val Jaffee is \$30 - \$70 per hour. So, they may in some respects be competitive, Mr. Fleiners bid is lower than the other four that were contacted.

Commissioner Tinsley: Perhaps in travel time, but they don't indicate travel time in here and I will disagree with you on that and I believe what I said and if I didn't say it I'll correct it, Mr. Fleiners bid is competitive with these other four with the exception of probably Mr. Suenram's so if I misspoke I apologize. Mr. Fleiners is competitive and perhaps there are a couple of their lower end bids that they showed on these four here that are even lower than Mr. Fleiners, we don't know the travel times because they didn't show them, so.

Chair Varone: Thank you. Any other comments

Commissioner Murray: Madam Chair, The reason I am supporting Mr. Fleiners proposal is his unique familiarity with our County DES system and the needs of the system and with the State DES system. Mr. Fleiner is qualified to handle the bid and I'm going to support his contract.

Paul Spengler: Madam Chair, if I may

Commissioner Murray: Excuse me Paul, we're in the middle, you may not, we have a motion.

Chair Varone: As am I Commissioner, I've worked a lot with Bill Fleiner and respect him as I do the others, but I believe we have a unique opportunity here and I will be supporting it as well.

Commissioner Murray:

Chair Varone: All those in favor, signify by saying 'I'

Chair Varone/Commissioner Murray: 'I'

Chair Varone: All those opposed

Commissioner Tinsley: No

Chair Varone: One opposed. Motion carries. Thank you Paul.

Resolution Establishing the Augusta Fire Service Area Effective Date. (Marni Bentley)

The Commissioners will consider the resolution.

Marni Bentley: Madam Chair, Commissioners, On June 24th, 2003 the Commissioners passes a resolution creating the Augusta Fire Service Area. The State statutes require that a 60-day protest period pass before the creation becomes effective. I had eleven protests received and that was only 1.56% of the property owners and it was not sufficient to stop creation of the district. I did attach copies of the protest letters to your packet. Staff recommends approval of the attached resolution establishing the effective date of the Augusta Fire Service area.

Commissioner Murray: Madam Chair, Commissioner Tinsley, Ms. Bentley. Nowhere in the resolution does it indicate the expiration date of the protest period nor the effective start date of this.

Marni Bentley: The effective start date would be today as of the passage of this resolution.

Commissioner Murray: And today is the last day of the 60-day protest period.

Marni Bentley: Well it was actually on the 24th, but I think that was a Sunday. So I think this was the first public meeting.

Commissioner Murray: Thank you.

Chair Varone: Any other questions?

Commissioner Tinsley: Madam Chair, I make a motion we approve the resolution creating the, or making the effective date of the Augusta Fire Service Area, August 26th 2003 and authorize the chair to sign.

Commissioner Murray: Second

Chair Varone: Discussion. Marni, if I could. Excuse me. I read this information this weekend and should have flagged these letters because I did read them. One of them indicated that there was going to be a charge on locations that didn't have buildings on them. Excuse me, and what I'm wondering is did you happen to call that individual and he's from out of state and to let him know that that wouldn't be the case. Oh I think it's this one here, Hal Stevens from Placerville, California he says 'I oppose the service area if there is to be a charge on land which has no building and as shown fees are suggested for properties with buildings'. Just as notification to let him know that's not going to be the case, did you happen to do that?

Marni Bentley: I did not contact him, but I can.

Chair Varone: I'd appreciate it if you would because I think there's misunderstanding on his part. Any further discussion?

Commissioner Murray: Madam Chair, I also believe those other protest letters that request a response, maybe we could have Mrs. Bentley or Mr. Alles on behalf of the commission.

Chair Varone: I appreciate that. People take time to write letters and ask for a response, they really need to, they should have one. Any other discussion. All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries

Commissioner Murray: Madam Chair, Commissioners, Mr. Alles, when will a board be elected or are they elected or do we appoint the first board?

Ron Alles: Madam Chair, Commissioner Murray, we had to wait for this to be complete before we could begin the process on the trustees. The first set of trustees will be appointed by the board, Ms. Bentley will send out notices for those who are interested in applying. I don't know what the conclusive date will be but within a couple of weeks, and then a list will be brought to the board for their review and to be appointed. Future appointments will be actual elections or they'll have the option of being voted into office.

Chair Varone: Thank you Ron.

Proposed Minor Subdivision, Preliminary Plat to be Known as the Griffin Davis Lots 51 and 52 Amended Minor. (Applicant, Tim Gunderson) (Jerry Grebenc)

The Commissioners will consider creating two additional lots, each for one single-family dwelling. The proposed subdivision is located in the NE $\frac{1}{4}$ of Section 24, T11N, R4W; located south of and adjacent to Hope Road and west of Applegate Road.

Chair Varone: Because this is an amended point of order, we're going to ask the applicant to come forward for us similar to a subdivision application. Mr. Gunderson would you come forward please. Good Morning.

Tim Gunderson: Good Morning, Madam Chair, Commissioners.

Chair Varone: Have you had an opportunity to review the information that was developed on your amendment?

Tim Gunderson: Yes, I did.

Chair Varone: Do you have any comments before we begin?

Tim Gunderson: Uh, I think it is pretty straightforward from both angles. I'm pretty comfortable with everything.

Chair Varone: Okay, thank you sir, you'll have an opportunity to close as well. Thank you.

Jerry Grebenc: Madam Chair, Commissioners, Commissioner Tinsley's right the microphones are rather loud. The subject property is located south and adjacent to Hope Road, which is west of Applegate. This is a close-up of the photo of the subject property. Currently the property is developed with two homes, Mr. Gunderson's home is located here, there's also another home here. This is actually two lots within the Griffin-Davis subdivision but you're looking at both lots as part of the minor. The applicant is proposing four lots for single-family residents. Two of those lots currently exist. Lot sizes would be approximately 1.22 acres; lots 51 and 52 are each developed with a single family home. The property is relatively level with slopes of 2-4% to the east and the vegetation on the property consists primarily of grass. This is the preliminary plat of the proposed subdivision with Hope Road bordering the north and then you have the four lots, the two existing lots are long narrow lots, this is 52 and 51. Photos of the subject property on lot 51 is the applicants home, and then on lot 52 which is just across the driveway is a rental. This is a photo looking to the southeast towards Applegate Village and this is standing just a little bit to the south of both homes. This is the view to the southwest looking at the scratch gravels and the west end of Applegate Village. As far as effects on agriculture, the soils on the property do have severe constraints for cultivated ag, the property does appear to have been used for pasturing horses in the past and other properties in the vicinity have been used for horse pasturing. There are no irrigation waters or facilities identified on the property and due to the small lot sizes proposed, the lack of irrigation in the adjacent residential development keeping of livestock should be prohibited. With regards to sanitary sewer, individual on-site wastewater treatment systems are proposed. Soils do have severe constraints for on-site systems but DEQ and Health Department approvals would be necessary for creation of the lots. As far as water supply, individual on-site wells are proposed. Those wells are completed in either a bedrock or a (unknown) aquifer. Well depths range from 100-130 feet with yields anywhere from 3-18 gallons per minute and as the commission is probably aware, the property is in the North Hills controlled ground water study area which does necessitate probably a 24-hour pump test on one of the wells to ensure there's adequate water. With regards to streets and access the legal and physical access to the property would be via an internal access road with an approach on to Hope and then onto Applegate Drive. The applicant is proposing an internal access road down the existing driveway to the center of the property and it would terminate with a cul-de-sac. All those roads would meet county road standards including the cul-de-sac and an approach permit would be necessary for the approach on Hope Road. Here's a view of Hope Road, the top left photo is looking off to the east from the applicants approach, Applegate is out where the pointer is and then this is a view of Hope looking to the west towards the scratch gravel. With regards to the fire department, the property is in the West Valley Fire Department, it's approximately 3 ½ miles to the nearest station. The Fire Department did recommend \$200.00 per newly created lot so that would be a total of \$400.00 contributed to the installation and maintenance of water supply points for the fire department. With regards to natural environments, no noxious weeds were identified on the property; nonetheless a 5-year weed management plan is required. With regards to soil erosion, there is a high potential on the property that is another reason that the keeping of livestock should be prohibited. The water quality district has in the past identified elevated nitrates in the ground water in this area, there was no specific information for this subdivision, but properties to the north there had been information and as noted earlier the property is in the ground water control area and pump tests would be required. With regards to visual impacts, the subdivision is similar in appearance to the other surrounding developments, so the visual impacts should be fairly minimal. With regards to public health and safety, probably the two biggest issues as the commission knows there is the potential for elevated radon gas, which can be mitigated through construction, also there is an earthquake fault located approximately 2 miles

to the northwest of the property. Due to the fact that the applicant does need construct and internal access road a drainage plan would need to be submitted to the county and that's basically to deal with the storm water run off from that internal access road through ditches or retention areas. Just before I close, this is just another photo of the preliminary plat and with that, staff does recommend approval of the Griffin-Davis lot 51, 52 Amended Minor subject to eleven conditions and staff would be happy to entertain any questions.

Chair Varone: Any questions of Jerry? Commissioner Tinsley?

Commissioner Tinsley: I just have one Jerry. I seem to recall an earlier subdivision where there was an internal road like that and somebody had said something about they cannot dissect, internal roads cannot dissect, and this doesn't appear to me after I saw that drawing, I just recall that in one of our earlier subdivisions.

Jerry Grebenc: Right. Madam Chair, Commissioner Tinsley, I think what you're speaking too is our subdivision regulations don't permit the division of a lot by an easement or an access easement or a road. In this case we're actually dealing with two separate lots, two very long narrow lots and the applicant is putting or proposing to put the access easement along one lot rather than splitting any of them so he wouldn't require a variance from our standard.

Chair Varone: Any other questions? Jerry, I have a couple. When I was reviewing this, I'm sure you went out as the pictures indicated and took a look, is there enough set back once the easement is established for the house at 52A?

Jerry Grebenc: Madam Chair, I have to admit that I didn't tape out the easement towards the trailer on lot 52. So, off the top of my head looking at it there is probably about 10-15 foot separation between the internal access road and the trailer. The one thing to note is that it is going to be a dead end road and the reason for that is the property to the south is Applegate Village and there really is no mechanism for integrating this access road so traffic should be fairly slow primarily because when you turn into the internal access road you're going to have to make a left hand turn and than drive I think it's approximately 250 feet and then the people would be at their homes, but I didn't really look at that specifically.

Chair Varone: Okay, Thank you. On page 8, item 8f, you did include, thank you very much, the raising, keeping or confinement of livestock or other large animals and I know we've been wrestling with what the definition of livestock is. Should this be approved would you ask for the language to be changed, because livestock at least in my opinion could be 50 or 100 chickens and what I'm going to be asking you and if you could come up with better language I would appreciate it to say the raising, keeping or confinement of livestock including large animals and that wouldn't prohibit just large animals but also smaller animals that could, you know they could have a chicken farm on there which I'm sure the neighbors wouldn't care for. And than also in item 9b you have a prior to filing a final plat the following improvements, you have fire protection requirements, since we're asking for a fee do you think it would be appropriate to change that from requirements to fee? Or should we leave it at requirements?

Jerry Grebenc: That's okay with me.

Chair Varone: Okay, thank you.

Jerry Grebenc: Fire protection requirements is just a general boilerplate.

Chair Varone: Commissioner Tinsley?

Commissioner Tinsley: Madam Chair, Commissioner Murray. Jerry, I'll bet if you check with the Department of Livestock or Department of Agriculture they'll have, I know I've seen a definition for livestock and I know I was surprised because there were a couple things that were not included in the definition, so you may want to check and see what there definition and statutes are.

Jerry Grebenc: Madam Chair, Commissioners, Our understanding is that the Department of Livestock does not

classify poultry as livestock. Swine, cattle, horses, sheep, goats that's livestock, but they don't classify poultry so.

Chair Varone: If you would get us a definition that would be great because than maybe we can modify it to our needs. Commissioner Murray?

Commissioner Murray: Madam Chair, I happen to support having a few chickens running around, whether it's a chicken farm, I kind of like chickens and I think every home ought to have a few chickens producing eggs for you.

Chair Varone: Thank you Commissioner Murray, I don't mind a clucker every now and then either but when you have 50 or 100 from them, they tend to compete with the order of swine. Having been raised on one. What's the pleasure of the Commission?

Commissioner Murray: Madam Chair, I move we render a final decision on August 28th at 9:00 a.m. in room 309 of this building.

Chair Varone: Commissioners, I'm prepared to make a decision today if Commissioner Tinsley is.

Commissioner Tinsley: I would like to go with Thursdays

Chair Varone: We have a second to render a decision on the 28th, All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries. Oh, do we need a public hearing for this? We need to back up. This is a public hearing anyone wishing to speak in support of and opposition to or in general please come forward now. For the second time. The third time. Mr. Gunderson, would you like an opportunity to close?

Tim Gunderson: Yes, thank you Madam Chairman, Commissioners. There's a couple things that I have no problems with. Is no more than 5 chickens, because there's neighbors who have horses, mules, a few chickens for their own use and their neighbors, these are lots are not going to be for livestock or pigs or mainly for single dwelling homes, maybe a few chickens 5 or 10 I agree I think that we're getting to a point where we have to go to a store for everything and if the store closes down, we need with the world the way it is today I don't think a few chickens is going to hurt the whole area. Applegate built right next to me, and I was there long before they were and I turned my house around so that I could see the capitol complex and the mountains. I can't see them anymore. I didn't oppose it, because they wanted to do that, I, but I don't think a few chickens is going to hurt the whole area. They're good for the grasshoppers, which was horrible this year, and my lot is producing 25 gallons per minute, and I had it tested and it tested dang near perfect. The lot next to me, at the rental there is 32 gallons per minute. There is across from me and over off the side 5 dwellings on 2 septic tanks which is against I believe covenants, but it's been allowed to be there and for somebody to shut this baby down until the 28th because their scared there's going to be 4or 5 chickens on my place, I don't understand that. I know these are not for livestock of any kind, I don't think there's anything I can, we can write that up with no problem. That's all I have.

Chair Varone: Thank you sir. Maybe I should explain a little bit. What the commission likes to do is they like to be able to go out and just look at the property and the majority of the commissioners haven't had the opportunity to do that. We're not shutting it down; we just don't like to make a decision until we've had a chance to take a look at it. And maybe I need to clarify the chicken thing. A few chickens are fine, I absolutely agree, but the valley is becoming more and more closely built up and allowing someone to have maybe 3, 4 or 5 large livestock animals on a small lot creates a huge problem as does someone who moves in maybe you don't anticipate it just starting, any kind of a chicken operation, or duck operation or pheasant operation, but unless it's specifically prohibited, they can do it. So I agree with you, you have a few chickens, you have a few pheasants, you have a few goats, that's not a problem, but when, or if it could become a problem we're just trying to make sure that the community out there can be assured that 5000 chickens aren't going to be in

someone's back yard. That's all that discussion meant.

Tim Gunderson: Okay.

Chair Varone: Thank you. Do you understand now why we're waiting till Thursday?

Tim Gunderson: Sure. Any questions, I'll be willing to answer any questions.

Chair Varone: Thank you sir. Now do we have to re-motion or can we just go ahead

Commissioner Murray: Madam Chair, I move we render a final decision at 9:00 a.m. on August 28th, this Thursday in room 309 of this building.

Commissioner Tinsley: Second

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries. For any of you in the audience, if you go out today and there is a ticket on your vehicle, please bring it up to our offices on the third floor and we'll make sure you don't have to, aren't responsible for paying it. Thank you.

Proposed Minor Subdivision, Preliminary Plat to be Known as the Holmberg Village Estates Lot 5-3

Modification Minor. (Applicant, Dennis Iverson) (Jerry Grebenc)

The Commissioners will consider amending the conditions of approval to permit Lot 5-3 to be developed as multi-family residential, rather than as a commercial lot. The location is SW1/4 of Section 16, T10N, R2W; generally located north of and adjacent to Canyon Ferry Road and east of and adjacent to Holmberg Drive.

Michael McHugh: Madam Chair, Commissioners, for the record Mr. Dennis Iverson the developer of Holmberg Village Estates is present and he has received a copy of the staff report.

Chair Varone: Thank you sir, Mr. Iverson would you like to come forward?

Dennis Iverson: I just wanted to say that I've received a copy of this and it's well done as usual and I agree with all the conditions.

Chair Varone: Thank you sir. Thank you Michael.

Michael McHugh: Commissioners, what the request is is to modify the conditions of approval to allow a multi-family condominium unit on lot 5-3 of the Holmberg Village Estates Major subdivision. This subdivision was approved by the Board of County Commissioners on October 19th, 1999 with 21 conditions. The preliminary approval was for 44 single-family lots, two multi-family lots which were labeled 5-1 and 5-4 and two commercial lots which were labeled 5-2 and 5-3 and then one remainder lot for future development. The initial vision was that the time of the planning of the subdivisions that lot 5-2 and 5-3 would be utilized for commercial development either for mini storage units or day care facilities, what the applicant is requesting is to change the permitted use on lot 5-3 to a single-family or a multi-family residential unit, condominium unit. To do this there will need to be some changes done, the applicant will have to reapply to Department of Environmental Quality and get a rewrite for the on-site wastewater treatment system. The subdivision as developed does have a community water system, has individual onsite wastewater treatment systems and does have fire protection supply systems there. The existing water system is adequate to supply the additional units on the property and the initial or preliminary conditions of approval did require all multi-family and commercial units to be required to be sprinklered and this would still be in effect here. As far as traffic, the development of a condominium unit would have a minor increase in the number of daily trips generated through, as compared to

mini storage units but it would be a significant decrease as compared to the daycare facility so that impact is kind of a wash. Because state statutes does require all residential lots less than five acres in size to do a park dedication or a cash (unknown) park dedication and in the original calculation because this was a non-residential unit wasn't included in the park land dedication requirement the applicant would have to make an additional cash payment equal to .12 acres of the unsubdivided unimproved property. In addition the applicants would be required to comply with state statutes to comply with the unit ownership based on staffs review, staff does recommend approval of the modification of changing this from a commercial use to a multi-family condominium use and staff does recommend the six conditions to this modification.

Chair Varone: Thank you Michael. Any questions? I just have one nosey one Michael. For the cash in lieu of the park, how much is that?

Michael McHugh: The original per acre cost, this is for the entire subdivided property was in excess of \$2600.00 an acre.

Chair Varone: So it's very minimal.

Michael McHugh: Yes mam

Chair Varone: Thank you.

Commissioner Tinsley: I do have one quick one. Madam Chair, Commissioner Murray, Michael, so 5-2 is going to remain commercial, the commercial lot

Michael McHugh: at this time. It could be developed as either a mini-storage unit or as a daycare center.

Chair Varone: Any more questions of Michael? This is a public hearing, anyone wishing to speak in support of and opposition to or in general, please come forward now. For the second time. For the third time. Mr. Iverson do you wish to close. This closes the public hearing.

Commissioner Tinsley: Madam Chair, I make a motion we approve the proposed minor subdivision preliminary plat to be know as Holmberg Village Estates lot 5-3 modification minor and authorize the chair to sign.

Commissioner Murray: Subject to

Commissioner Tinsley: Subject to the number of conditions of staff

Chair Varone: Six

Commissioner Tinsley: Six conditions that staff requested and authorize chair to sign.

Commissioner Murray: Second

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries. Mr. Iverson, work with Michael as you move forward. Thank you.

Treasure State Endowment Program (TSEP) Grant Management Plan Contract MT-TSEP-CG-04-220.
(Janet Pallister)

The Commissioners will consider the grant management plan for the FY04 TSEP Bridge Grant.

Janet Pallister: Madam Chair, Members of the commission. The grant management plan that you have before you is for our next TSEP grant project and this must be approved by the board prior to it being submitted to

the Department of Commerce and it is part of the required start-up to receive the grant. We have used this grant in the past for many of our other bridge projects and it works very well in identifying everyone's role in how to manage the grant and administrative. So I would recommend that the Board of County Commissioners approve the grant management plan for the FY04 TSEP grant and authorize the chair to sign. Are there any questions?

Chair Varone: Any questions of Janet?

Commissioner Murray: Madam Chair, I'd move we accept the proposed Treasure State Endowment grant management plan as proposed by staff and authorize the chair to sign.

Commissioner Tinsley: Second.

Chair Varone: All those in favor, signify by saying 'I'

Commissioners: 'I'

Chair Varone: Motion carries. I don't believe I have the original here, do I, do you have it. Okay I'll sign it later.

Janet Pallister: There are also some other documents that she has for all of you to sign as far as who can authorize draw down requests and that sort of thing.

Chair Varone: Okay, Thank you.

Public comments on matters within the Commission's jurisdiction.

Adjourn.