

PUBLIC MEETING
March 30, 2004

Chairman Mike Murray called the meeting to order at 9:00 a.m.

Commissioner Tinsley was present. Commissioner Varone was absent attending a MACo Economic Development Conference in Billings. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, K. Paul Stahl, Brian Holling, Mark McNearney-Peccia & Assoc., Marni Bentley, Carol Hanel, Eli Hofer, John Kleinsasser, Chuck Hanson, Joyce Sterling Blackman, Brenda Blackman Gruel, Van Hildroth, Ken Frost, James Jewell, Bob Klein, Eleanor Cooperider, Cindy Swank, Jason Mohr, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Bid Opening. The Commissioners opened bids for the Sierra Road Bike Path Project. Transportation Coordinator Brian Holling reported Robert Peccia & Associates is the design engineer. Three bids have been submitted as follow:

Helena Sand & Gravel, Inc., Helena. Total bid \$136,942.20. Addendum #1 is acknowledged. The required bid bond is included.

Hall Construction Services, Belgrade. \$193,840.00. Addendum #1 is acknowledged. The required bid bond is included.

J&S Construction Inc, Belgrade. Total bid \$164,565.25. Addendum #1 is acknowledged. The required bid bond is included.

Commissioner Tinsley moved to return the bids to staff for a recommendation to the BoCC at a future public meeting. Commissioner Murray seconded the motion and it carried 2-0.

Resolution To Alter The Boundaries Of The Wolf Creek/Craig Fire Service Area To Annex Adjacent Land. Marni Bentley reported on February 24 the BoCC passed a resolution of intent to annex land into the Wolf Creek/Craig Fire Service Area. No comments have been received. Staff recommends approval of the resolution as requested by the petitioners. The annexation will be effective 60 days after the resolution is passed by the board. Hearing no public comments, the public hearing is closed. Commissioner Tinsley moved to approve the resolution and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Resolution To Create Rural Improvement District No. 2004-1 for The North Hills Area. Marni Bentley reported on March 9 the BoCC passed a resolution of intent to create the North Hills Rural Improvement District based on a petition received from landowners in the area. One letter of protest has been received and constitutes 1.49% and is not sufficient protest to bar creation of the district. Staff recommends approval of the resolution.

James Jewell, 1950 Lowe Court. Mr. Jewell favors the rural maintenance district. The cost of this will be an initial savings to the residents compared to the current condition of the road. Because Lowe Court is shown on the map, will it be included for maintenance? If Lowe Court and Glass Drive are connected in the future will it be connected through the back of his property or will it be along the easement on the east side of his property?

Carol Hanel. In the original request of the North Hills HOA Lowe Court was not included in the petition. Staff could add Lowe Court if the residents want to be part of this proposal and annex those additional properties and include that section of the road for maintenance.

K. Paul Stahl. The road will progress wherever there is public access.
James Jewell. On the east side of the parcel there is an access road.

Bob Kline. HOA member. Lowe Court was on the plat when the subdivision was first built, but one person bought all those lots and that road was never actually put in. when he started selling the lots he came to the HOA and asked if the Association would take the roads of the first 2 lots (actual end of Lowe Court). We told him if it was put in according to county specs that the HOA would look at it. It was never put in like that, he took a tractor and scrapped the grass off and then they had a locked gate on it for a long time. Never heard from him again. That's why Lowe Court was not included in this RID. In favor of RID.

Cindy Swank, 6670 Sleeping Giant View Drive. In favor of this proposal and asked for the difference between an "RMD" and RID. This is totally independent of anything connected with Fieldstone Estate Subdivision. Wants to make sure their RMD is only for maintenance of their road and keep Fieldstone's separate.

K. Paul Stahl stated an RID is in the statutes and does improvements, construction, and maintenance.

Commissioner Murray stated that the RID did not take any pressure off the responsibilities of the Fieldstone Estates subdivision.

Cindy Swank. Clarified the RID is basically for maintenance and snow removal. It is not going to bring the roads up to county standards.

Hearing no other comments, the public hearing is closed. Commissioner Tinsley moved to approve the resolution and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Resolution Levying And Assessing A Tax Upon All Benefited Property Within The Rural Improvement District No. 2004-1, North Hills. Marni Bentley reported this resolution sets the tax structure for the North Hills RID. Staff recommends approval. Hearing no comments, the public hearing is closed. Commissioner Tinsley moved to approve the resolution and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Resolution To Create Rural Improvement District No. 2004-2 For The Fawn Meadow Estates Major Subdivision. Marni Bentley reported there are questions from landowners regarding an area east of Fawn Meadow Subdivision that uses Munger Road for their access. Staff met with representatives of Fawn Meadow Subdivision and consensus is to create two districts, one for the internal Fawn Meadow Roads for improvement and maintenances assessed on 28 lots within the subdivision. Another district should be created for Munger Road for the improvement of that portion of Munger Road and maintenance assessed on 48 lots, including the lots outside Fawn Meadow Estates Subdivision that use the road. Staff recommends the Commissioners pass two new resolutions of intent Thursday and take no action on these two agenda items today. Hearing no public comments, the public hearing is closed. Commissioner Tinsley moved to adopt staff recommendation to drop the original proposal and form two new proposed RIDs. Commissioner Murray seconded the motion and it carried 2-0.

Resolution Levying And Assessing A Tax Upon All Benefited Property Within The Rural Improvement District No. 2004-2, Fawn Meadow Estates. See previous action.

Final Plat Approval and Subdivision Improvements Agreement For The Timber Acres Minor Subdivision. (Applicants, Phillip, Rita, Kent, and Stephanie Crist) Frank Rives reported the applicants have met all of the conditions with the exception of completing the internal access road. The applicants have submitted a subdivision improvements agreement to bond for the improvements. Staff recommends approval of the final

plat and the agreement. Commissioner Tinsley moved to approve the final plat and the subdivision improvements agreement and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Contract and Encroachment Agreement. Christal Ness reported the county has an agreement with Sun River Ranch, LLC to install a water tank and cattle guard located approximately 6.1 miles from Augusta on Warden Road. The Public Works Department has inspected the sites and has put conditions on the depth of the service to the stock tank and has supplied the applicant with the county's cattle guard standards. Staff recommends approval of the agreement. Hearing no public comments, the public hearing is closed. Commissioner Tinsley moved to approve the agreement and authorize the chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Public Comments. None.

There was no other business and the meeting adjourned at 9:40 a.m.