

PUBLIC MEETING
January 3, 2008

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioners Andy Hunthausen and Ed Tinsley were present. Others attending all or a portion of the meeting included Ron Alles, Nancy Everson, Rebecca Shaw, Lindsay Morgan, Jerry Hamlin, Dean Retz, Frank Rives, Michele Peterson, Jack Walsh, Shawn Higley, Christal Ness, Kim Smith, Larry Kline, Leonard Ennis, Bret Hamlin, Barb Hamlin, and Maria Penna, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. Ron Alles recommended approval of the consent agenda.

- a. Lewis and Clark Conservation District Tax Correction. County Staff discovered that the certified values submitted by the Department of Revenue were incorrect. The corrections would be made in Fiscal Year 09 tax bills. (Nancy Everson)
- b. Nunc Pro Tunc (12/27/07). Cultural and Aesthetic Project Agreement with Montana Arts Council and Holter Museum of Art. Funding not to Exceed \$12,000. (Patty White, Deputy Director, Holter Museum of Art)
- c. Treasurer/Clerk and Recorder Request and Authorization for Records Disposal. (Paulette DeHart)

Hearing no public comments, Commissioner Hunthausen moved approval of the consent agenda and authorized the Chair to sign. Commissioner Tinsley seconded the motion and it carried 3-0.

Proposed Major Subdivision, Preliminary Plat To Be Known As Red Fox Meadows. (Applicant, Jerry Hamlin, Hamlin Construction and Development Corp.) (Planner, Lindsay Morgan) (Tabled from 12/11/07) (Decision) The applicant proposed creating 127 lots, 110 of which will each be used for one single-family dwelling, 8 lots to be used for a total of 125 condominium units (46 duplexes and 11 triplexes), 5 lots to be utilized as open space, 3 lots for commercial purposes (storage units and a gas station), and 1 lot for a public wastewater treatment system. The site is generally located south of and adjacent to Canyon Ferry Road, and east of and adjacent to Lake Helena Drive.

Commissioner Tinsley stated this subdivision does not have the adequate physical access and would have unmitigated negative impacts on local services and public health and safety due to the condition of Lake Helena Drive. He moved to accept the Planning Board and staff's recommendation to deny this subdivision. Commissioner Hunthausen seconded the motion.

Commissioner Tinsley said the county had offered every opportunity for this subdivision to meet county standards and requirements and for the most part it has occurred, but our fiduciary and public health and safety and welfare requirements that we have as a county preclude us at this time from moving forward. If the county, within the next 6 months, could come to an agreement on a definite road policy on how we can deal with

these issues, allow the applicant to come back to us and ask for a reconsideration of the subdivision without having to go through the process.

Commissioner Hunthausen stated this was a difficult decision to make. He liked the subdivision and appreciated the applicant's work with staff to solve the problems inside the subdivision. It does not alleviate the problem with inadequate access and the inability to provide that right now, and therefore he must support the motion. He would also be willing to look at reconsideration in the time frame described by Commissioner Tinsley if the applicant so chooses in the future.

Variance Request. To allow for a local road approach onto Canyon Ferry Road, which is classified as a major collector and state highway with limited access.

Commissioner Tinsley made a substitute motion to deny the variance request. Commissioner Hunthausen seconded the motion. Commissioner Murray voted yes. The motion carried 2-1.

The motion to deny the proposed subdivision based on health/safety issues carried 3-0.

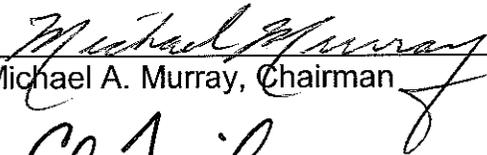
Board of County Commission Chair & Vice-Chair Designation for Calendar Year 2008. Chairman Murray made the motion to designate Commissioner Tinsley as Chair and Commissioner Hunthausen as Vice-Chair for calendar year 2008. He thanked Commissioner Tinsley for the leadership he had provided to staff, the public, and himself. He will do a wonderful job as Chairman.

He then acknowledged and appreciated Commissioner Hunthausen for his effort in getting up to speed as quickly as he did and the work that he has done for a first year Commissioner representing the residents of Lewis and Clark County extremely well. The next logical step would be to elect you Vice-Chair so we can put you in the position to provide leadership for the county. Commissioner Hunthausen seconded the motion and it carried 3-0.

Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. Commissioner Tinsley congratulated Commissioner Murray on an impressive year-2007 as Chairman of the Commission. He led the county to new heights and down new paths. He has been a good teacher, a good instructor, and a good Chairman for the county and we appreciate it and say thank you.

There was no other business and the meeting adjourned at 9:09 a.m.

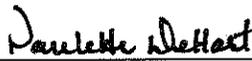
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Ed Tinsley, Vice-Chair


Andy Hunthausen, Member

ATTEST:


Paulette DeHart, Clerk of the Board