

**PUBLIC MEETING
DECEMBER 22, 2011
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, December 22, 2011, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Derek Brown called the meeting to order at 9 a.m. Commissioners Mike Murray and Andy Hunthausen were present. Others attending all or a portion of the meeting included Kelly Blake, Eric Griffin, Marnie Bentley, Greg McNally, Keith Hatch, Jim Wilbur, Ryan Casne, Mike Murphy, Jerry Ridgeway, Matt Hayes, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Vendor Claims Report for the Week of December 19, 2011. (Marnie Bentley)
- b. Amendment No. 1 to Professional Services Agreement Between Lewis & Clark County and Allen McNeal, dated April 19, 2011, for Oversight Services for the Vitullo Ranch Prickly Pear Creek Improvements Project. New Amount: Not to Exceed \$6,950.00. (Jim Wilbur)

Kelly Blake reported on the consent agenda and recommended approval.

No public comment was received.

Commissioner Murray moved approval of the consent agenda and authorized the Chair to sign. Commissioner Hunthausen seconded. The motion carried 3-0.

Bid Award. Purchase of One (1) New Backhoe. (Audra Zacherl)

Eric Griffin reported that three bids were received and opened on December 15th. The selection committee has reviewed the bids and recommends awarding the bid to RDO Equipment Company of Great Falls, Montana, for the purchase of a 2012 John Deere 410J Backhoe for the bid amount of \$89,300, including the deductive alternate for the trade-in of the 2003 John Deere 410G for \$35,000, for a net difference of \$54,300.

Staff recommended that the Commission award the bid for the purchase of a 2012 John Deere 410J Backhoe to RDO Equipment Company, the trade-in of a 2003 John Deere 410G for the bid amount of \$54,300 and authorized the Chair to sign the applicable contract documents associated with this bid.

No public comment was received.

Commissioner Hunthausen moved to award the bid for a new backhoe to RDO

Equipment Company as recommended by staff and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Request to be Allowed to go through the Process for Modifying the Conditions of Approval for the Preliminarily Approved Timberworks Estates Subdivision. (Applicant: Frontier Builders, Inc.) (Planner: Greg McNally) Commission action is only to decide whether or not the applicant has made a reasonable argument as to why the conditions of subdivision should be modified.

Greg McNally presented the staff report. The Applicant has submitted a letter requesting a modification of conditions of approval for Phases 2-8 of the 8-phased subdivision. The subdivision is located on the corner of Lincoln Road and No. Montana Avenue. The modifications relate to the ability to provide a financial guarantee for the payment related to the percentage of impacts to off-site road improvements. The applicant's memo outlines all the conditions in each phase that they desired to modify. It also includes preliminary concept of a roundabout at the intersection of Lincoln and No. Montana. If we proceed with this request for modifications we need to identify that a boundary line will change on this property at this corner.

Ryan Casne gave an overview of applicant's memo presenting the modification changes. The financial guarantee is difficult due to the present economy. DOT developed the conceptual roundabout layout. Property owners affected are his client and NorthWestern Energy.

No public comment was received.

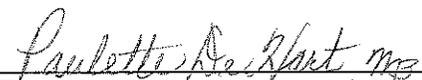
Commissioner Hunthausen moved to proceed with a modification request as presented by staff and the applicant. Commissioner Murray seconded. The motion carried 3-0.

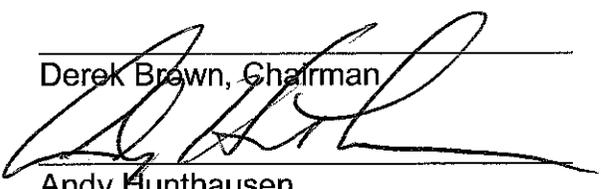
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:24 a.m.

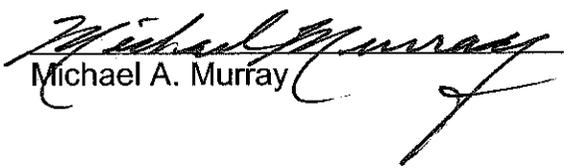
ATTEST:

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Paulette DeHart, Clerk of the Board


Derek Brawn, Chairman

Andy Hunthausen


Michael A. Murray