

**PUBLIC MEETING
JANUARY 22, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, January 22, 2013 at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioner Andy Hunthausen was present. Others attending all or a portion of the meeting included Eric Bryson, George Theborge, Christal Ness, Chancey Andrews, Jennifer Nelson, Tom Carlson and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

a. Pledged Securities as of December 31, 2012. (Nancy Everson)

Eric Bryson reported on the consent action items and recommended approval.

No public comment was received.

Commissioner Hunthausen moved approval of the consent action items. Commissioner Murray seconded the motion. The motion carried 2-0.

Contract and Encroachment Agreement Between Lewis & Clark County and Chancey Andrews and Jennifer Nelson, Owners. (Christal Ness) Large rocks have been placed in the public access easement, along, but set back from the road surface of Margaret Lane, extending from the eastern most driveway approach for 7850 Margaret Lane, south to where the road turns to the west, Lot 5d, Halliday Major Subdivision No. 2, also known as 7850 Margaret Lane, Sec. 18, T11N, R3W, Helena, Lewis & Clark County, Montana. (Tabled from 1/17/13)

Christal Ness, County Permit Coordinator, explained that based on comments at last Thursday's meeting, and her conversation with Commissioner Hunthausen prior to today's meeting, the Contract and Encroachment Agreement had been modified to also allow for shrubbery that encroaches into the right-of-way.

Commissioner Hunthausen added that it was clear from the documentation that, from the center line of the road to the rocks on the south side of the property, it appeared to be 19 feet; the easement is 25 feet from the center of the road each direction.

Commissioner Murray noted for the record, he inspected the property on January 19, 2013, and observed a horse trailer and another large trailer parked on the property, that had apparently created large ruts. He questioned the applicant's intent to install a sprinkler system in that area.

Commissioner Hunthausen moved, on the south side, to allow for the current encroachment to continue where the trees are, and on the east side to allow for a 5-foot encroachment into the easement. Commissioner Murray seconded the motion. The motion carried 2-0.

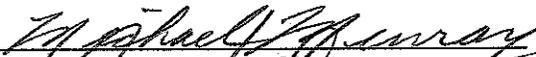
Commissioner Hunthausen moved to instruct Public Works to install "no parking" signs 25-feet from the corner in each direction. Commissioner Murray seconded the motion. The motion carried 2-0.

Commissioner Hunthausen cited the drainage problem at the corner and said he would meet with the Public Works Director later this morning to request that they investigate the drainage issue.

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 and the meeting adjourned at 9:12 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Andy Hunthausen

(Vacant)

ATTEST:



Paulette DeHart, Clerk of the Board