

PUBLIC MEETING
April 11, 2000

Chairman Mike Griffith called the meeting to order at 9:00 a.m. Commissioners Loendorf and Murray were present. Others attending all or a portion of the meeting included K. Paul Stahl, Ron Alles, Sharon Haugen, Jerry Grebenc, Dave Clouse, Eric Griffin, Bill Lloyd, Robert Hudnall, Dean Retz, Ken Diehl, Clint Smith, Harold Smith, Brett Smith, Tom Pouliot, Greg Benjamin, and Carole Byrnes.

Minutes. There were no minutes to approve.

COPS Universal Hiring Supplemental Award. Captain Dave Clouse reported that the county is accepting the award from the Department of Justice. Because the sheriff's Department is currently in the hiring process, there will be no expenditures until June. Commissioner Murray moved that the Commission accept the award in the amount of \$600,000 and authorized the Chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

TSEP Bridge Application. Damschen-Entranco representative Bill Lloyd reported that the \$500,000 TSEP application is for the replacement of four bridges in Lewis and Clark County: (1) Elk Creek Road bridge (Augusta); (2) Smith Creek Road bridge (Augusta); (3) Lyons Creek Road bridge; and (4) Sierra Road bridge. The total cost of the project is estimated to be \$1,038,000. Proposed funding is from a \$500,000 TSEP grant and \$538,000 comes from matching county funds.

Ron Alles reported that the \$538,000 matching funds will be budgeted over a two-year period. The impact to county taxpayers for the \$500,000 is approximately 5.85 mills -- \$22.30 on a \$100,000 home; \$11.15 on a \$50,000 home. The county's intent is to levy the number of mills necessary to fund the TSEP match and to provide adequate maintenance to its bridge infrastructure. The application will be submitted to the Department of Commerce. The projects will be ranked and submitted to the legislative subcommittee. The projects will not take place until summer or fall 2001. The funding is interest collected from the coal tax trust fund.

Public Works Director, Eric Griffin, spoke in favor of the TSEP application process.

Hearing no other public comments, the Chairman closed this portion of the hearing. Another public hearing will be conducted in Augusta on Friday, April 14, 2000.

Bid Award. Eric Griffin reported that the County received and opened five bids for hazardous waste removal of the Lewis and Clark County Fairgrounds grandstands. The hazardous waste consisted of asbestos siding on the exterior of the structure. The engineer's estimate to remove this siding was approximately \$24,000. Staff used the competitive, non-advertise bid process. After review of the bids staff recommended awarding this contract to Environmental Contractors in Billings, MT in the amount of

\$7,865 and authorized the Chairman to sign all related documents as needed. Commissioner Loendorf moved that the Commission award the bid to Environmental Contractors and authorized the Chairman to sign the necessary bid documents. Commissioner Murray seconded the motion and it carried unanimously.

Proposed Subdivision, Summary Review to be know as the Wiley Subdivision, Lot H Minor. (Cont from 4/4/00). The applicants proposes to create two lots, each for one single-family dwelling. The proposal is generally located south of York Road and west of and adjacent to Heather Drive.

Variance Request. The variance request is to eliminate the requirement for a cul-de-sac length because Heather Drive is a dead-end drive and the applicant's property is located approximately 1,700 feet from York Road. Hearing no public comments, the Chairman closed this portion of the hearing. Commissioner Murray moved that the Commission grant the variance to eliminate the requirement for a cul-de-sac on the proposed minor subdivision. Commissioner Loendorf seconded the motion and it carried unanimously.

Commissioner Murray moved that the Commission approve the proposed subdivision subject to 15 conditions as proposed by staff. Commissioner Loendorf seconded the motion and it carried unanimously.

Proposed Minor Subdivision, Preliminary Plat, Jim's Minor. (cont from 3/28/00) The applicant proposes to create 5 lots, each for one single-family dwelling. The proposal is generally located northwest of Highway 282 and northwest of Antler Avenue. Applicant, Ken Diehl, 5000 Canyon Ferry Road, was present and indicated his willingness to proceed. His representative, Dean Retz, was also present. Jerry Grebenc presented the staff report. There are covenants on the property. Two phone call inquiries and one letter were received. An overhead power line crosses a portion of the property. The applicant should extend a 60 foot access easement along the southern boundary of tract 2A and establish a no-access restriction along the western boundary of tract 2A except at the easement for Jim's Road. Ten foot utility easements shall also be established along all interior lot lines. The proposed cul-de-sac is 2,000 feet and exceeds the maximum county standard. Applicant has applied for a variance in excess of 1,000 feet and staff has recommended approval of this variance request. The East Valley Fire Department has requested the applicant come to an agreement with the City of East Helena for the use of the hydrant for fire protection. Staff recommended approval of the proposed subdivision subject to 16 conditions, with condition 13 stating that applicant shall establish standard physical and legal access to the proposal and shall be designated as a 60 foot wide public access easement and shall be shown and described on the final plat. Without objection, the Commission entered a letter from the Bomparts dated March 14.

Dean Retz. Mr. Diehl has volunteered to increase the radius of the turnaround from 50 feet to 80 feet for fire protection. The East Valley Fire Department is agreeable to this.

Mr. Retz discussed the future development proposed by the Montana City School district.

Hearing no other comments, the Chairman closed this portion of the hearing. Commissioner Murray moved that the Commission continue the hearing and render a final decision on Thursday, April 13, 2000 at 9:00 a.m. in room 309. Commissioner Loendorf seconded the motion and it carried unanimously.

Request for a One Year Extension for the Valley Drive Tracts No. 4 Subdivision. (cont from 4/6/00). Sharon Haugen reported that the landowners have requested an extension of preliminary plat approval. The developer has made significant progress towards the approval of this plat. Staff has consulted with the county attorney's office on whether or not under the law the county is permitted to grant that extension even though it is six months late. Staff has concluded that because there have been significant improvements, staff recommended approval of a six-month extension from this date. Commissioner Loendorf moved to grant the six month request. Commissioner Murray seconded the motion and it carried unanimously.

Health Department Contract. Ron Alles reported on the contract between Yellowstone County Health Department and the Lewis and Clark County Health Department for health care services for the Homeless Grant. The agreement will provide \$84,858 worth of funding for services performed at the God's Love Shelter. The Board of Health has approved the contract. Staff also recommended approval. Commissioner Murray moved that the county enter into this agreement and authorized the Chairman to sign. Commissioner Loendorf seconded the motion and it carried unanimously.

There being no other business, the meeting adjourned at 10:30 a.m.