PUBLIC MEETING
May 8, 2001

Chair Karolin Loendorf called the meeting to order at 9:00 a.m. Commissioners Murray and Varone were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Paulette DeHart, Eric Griffin, Rj Zimmer, Frank Rives, Jerry Christison, Bruce Suenram, Kurt Fredericks, Cary Duncan, Maxine Frezzette, Al Frezzette, Robin Anlian, Jeff Larson, John Stangland, Helen Smith, Jeff Larson, and Carole Byrnes.

Minutes. There were no minutes to approve.

Fire District Appointments by Acclamation. Paulette DeHart requested that the Commissioners appoint by acclamation 14 individuals spanning 7 fire districts. State law allows if the number of candidates filing for office is equal to or less than the number of openings then the election may be canceled. Fire district trustees to be declared or elected by acclamation for a three-year term are listed below:

Bruce Mihelish and Robert Kolar	Baxendale Fire District
Allen Blanchard and Danny Gunock	Birdseye Fire District
John Lyndes	Canyon Creek Fire District
Donald Thomas and Bradley Bruce	Canyon Ferry FSA
Joanne Friedsam	Eastgate Fire District
David Armstrong and Vincent Williams	East Valley Fire District
Kimberly Beatty and Kristina Seigler	Lakeside FSA
Stuart Fuller and Vic Kelly	West Helena Valley Fire District

Commissioner Murray moved that the Commission appoint the trustees by acclamation for a three-year term. Commissioner Varone seconded the motion and it carried unanimously.

Gas Tax Certification. Eric Griffin reported on the mileage certification form for gas tax reimbursement. Rj Zimmer discussed the process and stated that MDT will also GIS roads for width, pavement, and surface type. The better the definition of the roads, the more accurate the mileage will be. Mr. Griffin stated that last year the county received $240,493 in gas tax money. Staff recommended approval of the mileage certification form. Commissioner Varone moved to approve the form and authorized the Chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

Proposed Minor Subdivision, Summary Review known as the Seliskar Minor. (cont. from 4/19/01). The applicant proposes to create two lots, each for one single-family dwelling. The proposal is generally located approximately six miles south of Helena on Grizzly Gulch Drive. The Commissioners will also consider a variance to allow a long narrow piece of land with a 3:1 length to width ratio. Frank Rives reported that the applicant, John Seliskar, has scheduled a pre-application conference and has requested a postponement of the hearing to Tuesday, May 22. Commissioner Murray moved that

the Commissioner extend the deadline through May 24. Commissioner Varone seconded the motion and it carried unanimously. Because there will not be a full Commission present on May 22, the Commission can hear the proposal on June 12 and render a final decision on June 14.

Proposed Minor Subdivision, Preliminary Plat to be Known as the Alm Ranch Minor. The applicant proposes to create four lots, each for one single-family dwelling. Lot 3 is developed with an existing barn. Lot 4 is developed with an existing house and accessory structure. Lots 1 and 2 would be served by individual wells, individual on-site wastewater treatment systems, and utilities. Six variances have been requested. The proposal is generally located 3 miles west of Helena, south of and adjacent to Highway 12 West. The applicant, Kurt Fredericks, was present. Michael McHugh presented the staff report. The property is not located within a special zoning district and no covenants are proposed. No public comment has been received. The property has historically been used as agricultural grazing land and wildlife habitat. There is an existing irrigation water right in the southern portion of lot 3. The applicant proposes to install an on-site wastewater treatment system with a shared water system. Concerns are the streets and access. The cul-de-sac exceeds the county standard. The width of the road varies between 19 and 24 feet. County subdivision regulations require that all public access easements have an improved surface width of 24 feet. The applicant is requesting six variances: (1) the road be identified as a private access easement; (2) cul-de-sac exceeding the county standard of 1,000 feet in length (3) no public access; (4) roadway width; (5) width to length ratio for lot 1; and (6) grade in excess of 11% for greater length than 500 feet. The applicant has constructed 2 underground water storage tanks for fire suppression services. There is no FEMA mapping in this area. The fire risk rating is medium to high with potential for intense fire. There are two fault lines identified within 1.5 miles of the property. No cultural history has been recorded on the property. The State Historic Office has recommended that a cultural resource survey be conducted prior to any additional development activity on the property. The applicant may consider creating spaces for rent, lease, or other conveyance without parcelizing this property, and may remove some of the variance needs. Staff recommended approval of this proposal subject to 16 conditions as outlined in the staff report.

Kurt Fredericks stated that he has recently drilled two new wells. Utility lines will be installed underground and all areas disturbed will be reseeded. Two 1500 gallon concrete tanks have been installed in the ground with portable pump systems. He has requested a private access from U.S. Highway 12 to the home for privacy and security. The existing cul-de-sac at the top will be open to the proper width. The miner's cabin will be protected. He has a plan for a beautification entryway with reforestation, curb and gutter to the main gates, boulder waterfall, and asphalt the first 600 feet of the entryway. A weed management plan in being prepared. A swimming pool will also be added. He proposes an alternate wastewater treatment system, such as an aerobic treatment plant.

Michael McHugh stated that the applicant wants to create a deeded parcel for the caretakers. In order to create a deeded parcel, the property has to be surveyed and the certificate of survey must be filed with the Clerk and Recorder. He can create a development right for the home for the caretaker and not parcelize the property.

Jerry Christison, 1230 Grizzly Gulch, stated he would like to protect the roadless area corridor and keep the visual impacts of subdivisions down. He encouraged the Commission to act quickly on this proposal so he can develop that property.

Hearing no other public comments, the Chair closed this portion of the hearing. Commissioner Murray moved that the Commission render a final decision on May 11 in Augusta at 10:30 a.m. Commissioner Varone seconded the motion and it carried unanimously.

The Commission recessed and reconvened at 10:45 a.m.

Proposed Subdivision, Summary Review to be Known as Minor Subdivision No. 32, Lot 1, Amended. The applicant proposes to create two lots, each for one single-family dwelling. The applicant also requests a variance from county subdivision regulations for a cul-de-sac over 1,000 feet in length. Lot 1-2 is developed with a single-family dwelling served by an individual well, individual on-site wastewater treatment systems, and utilities. Lot 1-1 would be served by an individual well on Lot 1-2 with an easement, an individual on-site wastewater treatment system and utilities. The proposal is generally located at 928 Lydia Road. The applicant, John Stangland, was present and indicated his willingness to proceed. Frank Rives presented the staff report. The applicant presented staff with two letters of support for his proposal, and he received a copy of a certificate of subdivision plat approval from DEQ from one of the neighbors. No recorded copy of the covenants have been located. The property is located in a road improvement district. Lydia Road is a cul-de-sac 1,450 feet in length. A variance would be necessary. The fire department has requested the applicant contribute $200 per lot for purposes of fire suppression. The property is located ½ mile east of the scratch Gravel Hills fault and 3 miles NE of the Bald Butte fault. Risk of injury and damage can be reduced by compliance with UBC codes seismic zone 3. The property and adjacent properties have been identified by FEMA as a 500-year flood zone. Property owners should consider appropriate construction designs to prevent potential flood damage. Staff recommended that the lots be renamed Lots 1A and 1B. Staff recommended approval subject to 12 conditions as outlined in the staff report. Staff recommended that condition 8 be modified to read a stop sign is not necessary at the junction of Sandy Drive and Lydia Road. Staff also recommended that condition 10.a be deleted as it was inadvertently added as a condition.

John Stangland, 928 Lydia Road. Mr. Stangland stated that he was unable to locate a recorded copy of covenants. Regarding condition 10.b, he would like to install the street signs after development. He believes this development will be an improvement to the neighborhood. He stated his agreement with the conditions of approval.

Robin Anlian, 901 Lydia Road. Ms. Anlian objected to the subdivision because it will change the nature of the neighborhood. She has not been able to locate a copy of the covenants. Flooding did occur in this area in the 1980s.

Jeff Larson, Stahly Engineering, representing the applicant. Mr. Larson stated that with the type of sheet flooding in the 500-year floodplain, raising the elevation of that property will have no affect on the surrounding residents. He agreed that condition 10.a be deleted.

Hearing no other comments, the Chair closed this portion of the public hearing. Commissioner Murray moved to render a final decision May 11 in Augusta. Commissioner Varone seconded the motion and it carried unanimously.

ITS Intern Agreement with Carroll College. Ron Alles reported that the Cooperative Education Agreement is for an intern position in the ITS Department. Staff recommended approval. Commissioner Varone moved that the Commission approve and authorized the Chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

Intergovernmental Agreement with DPHHS. Ron Alles recommended postponing to agreement to allow the finance officer to review the document. Commissioner Murray moved to table this to June 12. Commissioner Varone seconded the motion and it carried unanimously.

There being no other business, the meeting adjourned at 11:15 a.m.