

PUBLIC MEETING
April 22, 2003

Chair Anita Varone called the meeting to order at 9:00 a.m.

Commissioners Murray and Tinsley were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Jerry Grebenc, Jeff and Jody Welch, Jason Mohr, Dick Novak, and Carole Byrnes.

Pledge. Everyone recited the pledge.

Proposed Abandonment of an Alley Adjacent to Lots 18-24, Block 8 of the Woodlawn Addition. Petitioner Donna Jones proposes to abandon a portion of an alley in the Woodlawn Park Addition. The proposal is generally located between Silsbee Street and Reed Avenue, with Green Meadow Avenue to the east. Dick Novak, Dallas Land Company, is present representing the applicant. Jerry Grebenc presented the staff report. The right of way for the alley has never been constructed because it is currently blocked by petitioner's outbuilding. Petitioner has indicated she would like to remove the structure and build a new one. The abandonment would not have any negative impacts. No comments were received by county road supervisor. Commissioner Varone provided written comments. Staff recommended approval of the abandonment subject to 5 conditions as outlined in the staff report.

Jerry Grebenc stated that until he received the Chair's comments, he had not considered whether the alley could be utilized for the installation of sewer and would like to contact Stahly Engineering for their opinion.

Jim Welch, 3280 Green Meadow Drive, stated the building is a fire hazard and an eyesore. The alley should be shared with the adjacent landowners.

Dick Novack stated he did not know Ms. Jones was filing for abandonment of the complete alley and the structure is a fire hazard.

Hearing no other public comments. Commissioner Murray moved to table a decision to Tuesday, June 10 to obtain an opinion from Stahly Engineering as to whether or not the alley would be necessary for possible utility locations. Commissioner Tinsley seconded the motion and it carried unanimously.

Proposed Birdseye Fire District Annexation. Jerry Grebenc reported that 72% of the owners of the proposed annexation approved of the annexation. The trustees approved the annexation January 13, 2003. The annexation would include approximately a section of federal ground, which would make the property contiguous to the fire district. Commissioner Tinsley moved to approve the proposed annexation and authorize the chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

Request to Waive \$150 Fee to Lift Agricultural Purpose Use. Jerry Grebenc reported that applicant Wesley Pool has requested the \$150 fee be waived for a parcel he created through an agricultural covenant which is an exemption to the Subdivision and Platting Act. The applicant has also requested the agricultural covenant be lifted. A hearing would be necessary to handle notification in the paper and to notify adjacent property owners. Commissioner Murray moved to table a decision until the date, time, and place of the hearing so that both requests can be done simultaneously. The applicant will be required to pay the \$150 fee and if the Board approves, the fee may be waived. Commissioner Tinsley seconded the motion and it carried unanimously.

Intercap Loan Application. (cont. from 4/17/03) Nancy Everson reported this loan application for Gable Estates RID Road Improvements will be submitted to the Board of Investments in the amount of \$435,503.92. The residents have waived their right to protest. The hearing will be scheduled sometime in June on the RID. The developers and the Public Works Department would like to do this project this summer because of the size of the loan which will take about six weeks to go through the approval process. Commissioner Murray moved to approve submittal of the Intercap loan and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Lewis and Clark County Conservation District HB223 Grant Application. Ron Alles reported this is the sixth annual DNRC grant application for the Upper Tenmile Streambank Stabilization and Habitat Enhancement Project. Willow trees will be planted along the streambank for stabilization. The Conservation District Board recommends approval of the application. Commissioner Tinsley moved to approve the grant application and authorize the chair to sign. Commissioner Murray seconded the motion and it carried unanimously.

There was no other business and the meeting adjourned at 9:35 a.m.