

## SUBDIVISION MEETING

April 7, 2005

Vice-Chair Anita Varone called the meeting to order at 9:00 a.m. Commissioner Murray is present. Commissioner Tinsley is absent on medical leave. Others attending all or portion of the meeting included Ron Alles, Jerry Grebenc, Lindsay Morgan, Dean Retz, Charles Maynard, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the Pledge.

Bid Opening. Eric Griffin reported bids for the Lincoln RID. Due to DOT project at the Lincoln airport, this bid is postponed for two weeks to April 21. bids will be do April 20 in the Commission office.

Proposed Major Subdivision, Preliminary Plat to be known as Amended Plat of Lot B1A, Silver City Airpark Estates. (Applicant, Ricky Lopez) (Lindsay Morgan) (cont. from 4/5/05) The Commissioners will consider creating 3 lots, each for one single-family dwelling. The subdivision is located in the NE1/4 of Section 1, T11N, R5W; generally located ¼ mile west of Birdseye Road, northwest of and adjacent to Anna Brown Road.

Variances.

Commissioner Murray moved to approve both variances. Commissioner Varone seconded the motion. The motion carried 2-0.

Commissioner Murray moved to approve the proposal subdivision subject to 15 conditions as approved by the planning board. Commissioner Varone seconded the motion and it carried 2-0. includes 8, 12a and 9f.

Proposed Agricultural Covenant Revocation for Tract 1 of Government Lot 2 filed under COS No. 377974. (Applicant, Nancy Reishus and Richard Frank) (Planner, Jerry Grebenc) The Commissioners will consider the request to remove an agricultural covenant from a 3.89-acre tract north of the Craig Townsite. The subject property is located in the south and eastern portions of Section 10, T15N, R3W; generally located between Interstate 15 and the Missouri River and the Burlington Northern right of way.

Charles Maynard, Cascade. Correct an issue.

Jerry Grebenc presented the staff report. The applicant is requesting the removal of an ag covenant. Was created by an ag exemption but was never used for that purpose. The existing septic system is not sufficient to accommodate the existing lots it serves. A new community drain field is needed. And would need to be approved by DEQ. Staff recommends approval of the proposal subject to 6 conditions as contained in the staff report. max Kalafat has expressed his opposition to the removal of the ag covenant.

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- **Vendor Invoice Claims and Reports are available for public inspection in the County Budget Office.**
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The ag covenant was placed as a mechanism to divide off a piece of property. As a gov't lot, this property has never been through subdivision review.

Charles Maynard. The covenant does not affect the tax issue. Still as residential property. There are 11 lots put on this property however there are only 8 that have a current drain field that is attached to this property. The reason for this application the 3 additional lots that have been court ordered surveyed and subdivision was Marg. Barnes dies. Each of 3 children receive 1/3d of remaining land. Was div into 3 lots and have been sold and need to have a sewer put in—all stipulated in the sale of the property. In order to bring lots up to standards, revamped the sewer system for ½ of the lots to the south and 3 new lots and building a new sewer sys for all of the lots. The engineering report is in the health department and waiting for DEQ review. In order to put in drain fields, the land was specifically citted and used for drain fields. When Marg died no one realized the ag covenant was on the propert. The prop was transferred to Nancy R and she is agreeable to changing this and addressing the letter of opposition. Because of the floodplain issues and well setbacks it will be difficult to put in a domestic well on this property for a home if the property was sold.

Commissioner Murray asked how the land was divided.

Charles Maynard. The court ordered survey was done approximately two years ago. The stipulation was to be div into 3 parcels the judge said any deveoplment will have to use the triangle piece of property.

Jerry Grebenc recalls the court ordered division by the court.

Hearing no comments, the public hearing is closed. Commissioner Murray moved to approve removing the ag covenant subject to 6 conditions as ourlined by staff. Commissioner Varone seconded the motion and it carried 2-0.

Food Stamp Nutrition Education Support Agreement. Ron Alles reported the the agreement with MSU-Extension and Montana DPHHS for the term 10/1/05 through 9/30/06. inkind match includes Ext Agent staff time to educate about food service. Staff recommends approval. Commissioner Murray seconded the motion and it carried 2-0.

Commissioner Varone seconded the motion and it carried 2-0.

Mosquito Control Program Agreement. Ron Alles reported the agreement with JHS, Inc. and Helena Valley Mosquito Control District in the amount of \$105,950.00. the Mosq board supports this agreement and staff also approves this agreement. Commissioner Murray seconded the motion and it carried 2-0. Commissioner Varone seconded the motion and it carried 2-0.

Transfer of York Town-Site Properties. Jerry Grebenc reported acknowledge the transfer of ownership of properties in the York Town-site from the Forest Service to

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Lewis and Clark County. Acknowledgment that the transfer of properties from the County to the respective residents in York will commence sometime the week of April 11th through the 15th, if not sooner, and signature of utility easements and quit claim deeds by the Chair of the Commission. The next step is to request the comm. to sign the utility easements and put on individual surveys. Commissioner Murray moved to enter into the agreement and authorize the chair to sign. Commissioner Varone seconded the motion and it carried 2-0.

The FS and the county have been working on for many years to transfer the property that the buildings are located on and easements to each of the property owners.

Commissioner Murray stated the York cemetery will also be transferred to the county and two people in York will maintain the property.

The motion carried 2-0.

Public comments on items not mentioned above. None.

There is no other business, the meeting adjourned at 9:35

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