

**DRAFT – NOT APPROVED BY BOCC**

**PUBLIC MEETING**  
**December 13, 2005**

Chairman Ed Tinsley called the meeting to order at 9:00 a.m. Commissioner Murray and Commissioner Varone are present. Others attending all or portion of the meeting included Ron Alles, Jerry Grebenc, Darrel Folkvord, Michael McHugh, Dean Retz, Jason Mohr, Ron Solberg, Paul Montgomery, Scott Anderson, Kathy Moore, Jim Taylor, Toby Lester, Ron Stokes, Julie Dolan, Kathy O'Reilly, Trevor Taylor, and Maria Penna.

**Pledge of Allegiance.** Everyone recited the pledge.

Chairman Tinsley: Good morning and welcome to the regularly scheduled Tuesday morning meeting. I'm Commissioner Tinsley. To my left is Commissioner Varone. To her left is Maria Penna our Executive Assistant. To my right is Commissioner Murray. To his right is Ron Alles our Chief Administrative Officer. To his right is Jerry Grebenc our Director of Community Development and Planning.

**Consent Items.**

Ron Alles:

- a. Final Plat Approval and Subdivision Improvements Agreement for the O'Reilly Minor Subdivision. The Applicant, O'Reilly Family Trust. The Planner is Michael McHugh. And unless the Commission has any questions, Staff recommends approval.

Chairman Tinsley: Questions for Staff? Is there a motion?

Commissioner Varone: Mr. Chair, I make a motion to approve the consent agenda items and authorize Chair to sign.

Commissioner Murray: Second.

Chairman Tinsley: We have a motion and a second. Any discussion? All in favor of the motion signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Aye. Motion passes 3-0

Chairman Tinsley: Next item on the agenda is a bid opening. The Commissioners will consider opening bids for a wheel loader for the County Public Works Department. I'd like to invite our County Shop Foreman, Darrel Folkvord to come up and join us on the dais and we'll open the bids.

**Bid Opening.**

Darrel Folkvord:

- 1) Tractor & Equipment: 938 G Wheel loader - \$136,055. The bid bond is present.
- 2) RDO: John Deer 624 J - \$127,700. The bid bond is present.
- 3) Western Plains Machinery: Case 721D - \$133,795. The bid bond is present.
- 4) Tri-State Trucking Equip: Volvo L90E - \$122,700. The bid bond is present.

Commissioner Murray: Mr. Chair, I would move that we take the bids under advisement and ask Staff to come back at a future public meeting with a recommendation.

Commissioner Varone: Second.

Chairman Tinsley: We have a motion and a second. Any discussion? All in favor of the motion signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Aye. Motion passes 3-0. Thank you Darryl.

Chairman Tinsley: Next on the agenda is a request for a 1-year extension of Preliminary Plat approval for the Emerald Ridge Subdivision. The Applicants are the Rio Group, LLC. The Planner is Michael McHugh. Mr. McHugh, good morning.

**Request for a One-Year Extension of Preliminary Plat Approval for the Emerald Ridge Subdivision.**

Michael McHugh: Commissioners this is a 67 lot major subdivision and it's located east of Lake Helena Drive and north of York Road. It was given preliminary approval on December 18<sup>th</sup> of 2003. The first phase has been platted, homes have been built on it, the Applicants are preparing to final plat the second phase of this. The proposal does include a 7-acre park where the Applicants are proceeding with establishing an RID for the improvements and the maintenance of that. Staff does recommend the extension request.

Chairman Tinsley: Any questions for Staff? If not is there a motion?

Commissioner Varone: Mr. Chair, I make a motion to approve the 1 year extension of preliminary plat approval for the Emerald Ridge Subdivision to December 28<sup>th</sup>, 2006 and authorize Chair to sign.

Commissioner Murray: Second.

Chairman Tinsley: We have a motion and a second. Any discussion? All in favor of the motion signify by saying Aye.

Commissioner Varone & Commissioner Murray: Aye.

Chairman Tinsley: Aye. Motion passes 3-0

Chairman Tinsley: Mr. McHugh I believe you're up next as well with the North Valley Infrastructure Project and we we're going to have a little presentation this morning.

**North Valley Infrastructure Project.**

Michael McHugh: Commissioners the Board of County Commissioners issued a contract to Anderson-Montgomery Consulting Engineering to do an Infrastructure Study for the North Hills Area. The North Hills Area included an area that's located North of Lincoln Road between Diamond Springs and Collins Drive. They have proceeded with this, they have issued the final draft, we have had numerous public hearings on this and hopefully all of the Commissioners have received copies of the final draft of this and have had the opportunity to at least glance at it. Mr. Montgomery and Mr. Anderson are here and they are going to give a brief presentation on their findings. The action before the Board today is either to adopt this document by resolution which will make it a planning guideline for the area. This would have the same

weight as the Parks Plan, the Growth Policy and the Transportation Plans. They can accept it as a guiding document that doesn't have any specific bearing on this or they can just accept this as a completed project. And with that I will turn this over to Mr. Montgomery and Mr. Anderson. Do you have questions for Staff at this point?

Chairman Tinsley: I have one either for you or for Jerry. Given our direction from the Deputy County Attorney, we shouldn't be taking an action on this today, in any event, correct?

Michael McHugh: There's no statutory requirements that you take in action at this time. You can hear the presentation and then decide on the three options that are outlined. If the Commission decides to adopt this by resolution they should direct Staff to prepare the resolution, a draft resolution for possible signatures.

Chairman Tinsley: Great. Thank you very much.

Paul Montgomery: Good Morning Commissioners. My name is Paul Montgomery. I'm with Anderson-Montgomery Engineers. With me today is Scott Anderson, he's my business partner. What I'm going to talk about today is the North Valley Infrastructure Study. We have about a 15-20 minute presentation. What we did in this effort was to evaluate the existing water, sewer and existing transportation infrastructure that exists in the North Valley and come up with recommendations on what improvements are necessary or warranted out in the study area. The study area, as described by Mike, the North Valley, it's generally bounded by Lincoln Road, Douglass Circle to the north, Glass Drive to the east and Diamond Springs or Buffalo Horn Road to the west. This is a diagram showing a larger image. The red outline is the study area. The green area is the green boundaries that are shown are the infrastructure analysis zones that we take the study area and we divide it up into smaller areas that share common features whether it be existing densities, growth potential, geophysical characteristics or land use and we evaluate each of those infrastructure analysis zones on a little more detailed level and then at the end of the report we look at the cumulative projects that are implemented, that could be implemented in those infrastructure analysis zones.

Project purpose was to identify and address public health and safety concerns from a drinking water standpoint, from a domestic wastewater disposal as well as transportation, develop and infrastructure plan, look at logical implementation of utilities and roads within the study area, look at the possibility of facilitating reasonable growth. Growth is going to happen out there it has been happening over the past decade quite rapidly and we have to look at how to maintain the infrastructure to support that growth. Identifying needed capital improvements and we'll be going over some of those recommendations and findings in a little bit and then recommendations for Project Prioritization and Phasing. We want to address those highest risk problems first, consider affordability as well as funding and funding limitations.

Findings: First, with respect for transportation: Some of the preliminary findings are that the existing roadway network currently operates at acceptable levels of service. What this means is that it can handle the existing traffic without significant delays. There are no accident concentration points. Of course, there are traffic accidents that occur out there but they don't seem to be focused in any particular intersection or areas. Growth projections indicate that there are significant, there will be a significant increase in traffic volume within the next 20 years which is our planning period, we are looking out to 2025 and it looks like there are going to be problems that will develop over that 20 years. In fact the Lincoln-Montana intersection is projected to fail by 2025, meaning that by that time if growth continues there are going to be excessive delays, motorists are going to seek alternate routes around that intersection and there will likely be increased traffic accidents at that intersection. And finally, and probably one of the more important issues for the local residents out there is the very poor condition in connectivity of the interior roadways. These would be the east/west running roadways to the west of Montana Avenue and then the north/south running roads that are north of Lincoln Road.

I spoke at length with some of the emergency services that provide fire and other emergency services out there and it's very difficult to find addresses, it's very difficult to get to residences even though they can see where they're at they can't get to them because of the poor connectivity and the condition of those roads.

Findings with respect to the water systems: There are a number of public water supplies out there and these are water systems that, by virtue of their size, number of people they serve for a specific period of time during the year, they're designated as public water supplies and they are subject to more rigorous regulation by the State Government. There are 7 out there right now. There's a number of public water supplies that are proposed. Probably more importantly there are over 870 individual water wells. The majority of the population in the study area are served by private water wells that do not have, or are not subject to any specific regulations other than when they are being constructed.

Findings with regard to wastewater systems: There are over 800 permitted septic systems. These are individual septic tank and drain field systems. There are over 200 septic systems which we are designated as pre-1973 septic systems that were constructed prior to the implementation of the County's health regulations in 1973 that govern the construction of these septic systems and for the most part these 200 systems as substandard. They are likely cesspools, seepage pits, something that's providing less treatment than a standard septic tank and drain field.

Findings with regard to groundwater quality: Some of the findings of the study are that the nitrate levels in the public water supply wells, these are the wells for example, Town View, Sky View, Jim Darcy School and so on, show that there are nitrates that range from about .2 parts per mil up to over 10 almost 11 parts per million and incidentally the EPA maximum contaminate level for nitrates in drinking water is 10 m/L so you see we have some concerns as far as contamination of ground water. Nitrate is an indicator contaminate although it does have some health effects it's an indication that there is a communication between the wastewater disposal practices and the drinking water supply in the area. There have been a few hits in the public water supply wells for Total Coliform and one of those was for Fecal Coliform, further confirming and access between the drinking water and wastewater disposal. There's a number of private wells that are being monitored by the Lewis and Clark County Water Quality Protection District, between May and August of 2004 and the nitrate ranges from about .35 up to over 10 m/L again, with an average of 4.5 m/L. Un-impacted ground water in Montana is generally well under 1 m/L in nitrate. Furthermore a chemical evaluation of that nitrate indicates that it is from human sources likely from domestic wastewater disposal.

Groundwater quantity: There's a general trend of declining levels in drinking water wells, private and public water supply wells since 1998. The Montana Bureau of Mines is currently undertaking a study under a DNRC grant to further evaluate the groundwater sustainability in the North Valley area and those findings are pending. Preliminary indications are some areas, however, are mining water meaning that there's more water being taken out for private use than there is recharge. And of course some wells are indicating seasonal influences. There's been a trend, a drought trend, and the levels are going up and down in a number of wells. There's some inconclusive findings.

This table is something I hope the Commissioners will have a little bit of time to spend with. One of the overall goals of this study was to identify public health risks and what we did was we utilized an objective methodology developed by Missoula County to assess the aquifer vulnerabilities of un-sewered areas and they had undergone this study for a number of un-sewered areas in Missoula and what we did was we took that methodology and used it in a previous study that we did for the County out in the west Helena area and we also used it for the North Valley area and we comparatively ranked those un-sewered areas in Missoula with the west Helena and our infrastructure analysis zones out in the North Valley and in a nutshell, the

North Valley does have significant aquifer vulnerability concerns. We took a look at things like nitrate contamination, the number of septic systems, the septic system density, we also used a aquifer physical characteristics model that was developed by EPA and that's one of the components that's ranked on this sheet. And I guess to summarize we do have some significant concerns for that aquifer out in North Valley. And incidentally also for the west side of Helena too.

I want to talk a little bit about growth: The existing population estimate for this study area is right around 2900 people out there right now. By 2025 it's estimated there's going to be almost 6500 and these numbers are not only based on the work that we did in this study but also the Helena Transportation Plan and some work by state holders, so we can see that if growth continues we're looking at more than doubling the population out there by 2025. We looked at, in determining risks to aquifers we looked at the aquifer vulnerability table on the previous slide we also looked at growth potential and what sort of affect growth is going to have on the aquifer out there if things continue the way they are. And, finally we also looked at cumulative affects, what happens up gradient that generally affects those people that are down gradient and the groundwater direction is generally from the northwest up here down towards the southeast so, if there are septic tanks and so on that are discharging to groundwater up in this area then invariably it's going to affect those people down in the southeast area. So, looking at those 3 components the aquifer vulnerability, the growth impacts and the cumulative affects we determined that these areas are the ones that probably have the highest need for implementing utility infrastructure either water or wastewater and I'll talk about transportation in just a bit.

So, how do we address those aquifer risks? There's essentially 3 alternatives: we can implement a community water system which is a source, high quality water and a distribution system and storage for just those residents out there, a community sewer system involving collection of the wastewater treatment and disposal so it won't impact the aquifer, and then finally and obviously the most expensive is to implement both of them at the same time.

So the alternatives that we considered to address the public health risks in our study area with regard to water systems, the first alternative was "no action". Just looking at the continuation of growth out there and serving all of the growth with individual water wells. Next we looked at connection to the City of Helena water system which involved a long main from Helena about 7 miles to the north, a storage tank and a distribution system out there. And then finally, we looked at a independent system with supply wells, storage tank and distribution actually located out in the study area itself.

With regard to wastewater systems, we looked at an independent system which would be collection, treatment, and land application within the study area just for those residents within that area. We also looked at connection to the City of Helena sewer system which involved a collection system, a lift station located out in the valley and then pumping that raw wastewater into the city for treatment and disposal at the Helena Wastewater Plant. We looked at upgrading all of the individual systems to advanced treatment systems providing higher quality effluent and next we looked at upgrading all non-permitted, those would be the 200 systems that were implemented prior to 1973, upgrading those to conventional septic systems and then conventional septic systems for all of the new customers. And this essentially amounted to the no action alternative for the wastewater.

And then as far as transportation, we looked at improving Montana Avenue 3 lanes from Lincoln to Prairie and providing bicycle/pedestrian paths, improvements to Lincoln Road involving 3 lanes and bicycle/pedestrian paths, intersection improvements at the Lincoln/Montana intersection which would include signalization, interior road improvements from Green Meadow to Montana Avenue and this would be like Prairie Drive and Brookings and so on, and then also the Lincoln Road Interchange improvements, and you notice that for water and wastewater these alternatives are pretty much exclusive we would implement one or the other, for

transportation they wouldn't be exclusive these would be just overall needs, projects to implement in and of itself.

Recommendations: We looked at costs, we looked at implement ability and other technical components for each of these alternatives and our recommendations are for

- 1) Water: To implement an independent system. The estimated capital cost is \$8.3M with \$53,000.00 a year estimated annual operating costs.
- 2) Wastewater: An independent also was the most cost effective, and that price tag was \$12.6M estimated, with \$157,000.00 a year estimated annual cost.
- 3) Transportation: implementing the most important projects that we evaluated was the Lincoln Road improvements, Montana Avenue interior roadway network, pedestrian/bike paths for safety and also for getting students to and from Jim Darcy School in a safe manner. Applegate and Green Meadow improvements the price tag there was an estimated \$16.3M.

For a total of an estimated \$37M which obviously that's a fairly large sum of money to implement all at once so the next activity we were involved in was how to implement this project, providing some recommendations on how to implement.

Project Implementation: What we would need to do is development logical project phases and look at implementing either water or wastewater possibly up front and then implementing the transportation improvements as they became necessary. Evaluating all sources of funding assistance and considering project affordability there are a number of funding programs out there and this project lends itself well to dividing it up into smaller pieces and implementing those as you submit grant applications and you can afford to implement those. The next implementation component here would be to set up funding mechanisms now to insure that money is available for the future projects. And this would be impact fees, those sorts of things, primarily for the transportation system improvements. And then what's very important in what we've already started here is to provide for thorough public involvement. We've had 2 public meetings out there and we've gotten overall very good reaction from the residents out there. They seem to be very interested in implementing utility infrastructure.

So, what's next?

- 1) Generating local interest in moving forward, getting some grass roots effort going out in the study area and it seems like that, at least our initial indications are, is that's going to be possible.
- 2) Formation of County Water Sewer District. There needs to be a governmental entity that can apply for funding and so on and that there's a focal point for getting these projects started.
- 3) Formation of SID's, primarily for the transportation improvements.
- 4) Impacts of "doing nothing". Looking at continued growth out there continued impacts to the water and wastewater and the likelihood that things are going to get considerably worse from a public health standpoint.

And that wraps things up.

Commissioner Tinsley: What an impressive presentation. Seems like you hit on all of the hot button issues. I had a chance to go through this, and I know the other Commissioners did as well and there's a ton of good information in here. One of the things I wanted to ask you in particular, I want to say "good job" by the way, thank you folks for a pretty comprehensive, at Anderson-Montgomery, we appreciate your thoroughness in putting this together. Did you use any of the data that was collected during the Transportation Plan Hearings and the plan that was put together this past year that we're still considering, is that what you used for your

transportation portion?

Paul Montgomery: Yes. Actually we had a, we partnered with another firm to look at the transportation improvements, that was WGM out of Missoula and he was involved in those meetings and the proposed projects that are in the plan are, they dovetailed well with the improvements that were proposed within the Transportation Plan, particularly with the Lincoln Interchange and so on, and also they used the growth projections out of the transportation plan.

Chairman Tinsley: Are there any questions for Mr. Montgomery?

Commissioner Varone: Mr. Chair?

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair, Commissioner Murray, I to want to share in the accolades to both you Paul and Scott. I think this is a tremendous document. It confirmed what I was hoping would happen and the recommendation for a independent water and sewer system out there. The information that I've received from folks in the past indicated that was probably the most reasonable and the most cost effective to the people that would living in the future and currently are living out there now. So all of the information that you put together and the references that you have provided, I have had an opportunity to, to look at this and I just want to say thanks.

Commissioner Murray: Mr. Chair, Commissioner Varone.

Chairman Tinsley: Commissioner Murray.

Commissioner Murray: I too am impressed with your report, although I have questions. In your septic treatment system, I'm a little taken back at how little the cost is compared to, I assume you're looking at a lagoon system?

Paul Montgomery: Yes, in fact I have a slide that shows more detail of it, but it is an aerated treatment lagoon with disinfection and land application disposal. And one thing that we need to mention is that both the water and the sewer recommended alternatives bring that service to within a half a mile of every area that's in our target areas. It doesn't bring it to the doorstep so there's a cost of implementing smaller mains to provide service and as well as service lines and water meters and those sorts of things too.

Commissioner Murray: \*\*\*start of tape\*\*\* taken back with, we're being told now that generally lagoons fail and yet to have you folks recommend more lagoons for the valley with the potential for failure it took me back just a little bit in studying your report.

Paul Montgomery: Well I think that the problems that we're currently experiencing with lagoons in the valley is with systems that were designed and constructed quite a while ago and we have some problems with leakage in some lagoons and these, the facilities that we're proposing in this document are, would be designed and constructed in accordance with current today design standards. Lagoons are being implemented across Montana as we speak, they work very well for a long time.

Commissioner Murray: I agree with that, I just, the systems don't appear to fail such as the City of Helena uses. I kind of expected you folks would come forward recommending we either hook up the entire valley or develop a system east of the "R" streets, the Sewell subdivision which is the low spot for our own treatment system.

Paul Montgomery: Well, our study area was defined for us and unfortunately we didn't have an

opportunity to look at the entire valley. I believe that study was had already been done, so we just looked specifically at the North Valley the North Hills area.

Commissioner Murray: How critical do you find North Montana from Lincoln Road north? It appears driving it that it needs to be replaced sooner rather than later.

Paul Montgomery: Right. It's in very poor condition. Again the Fire Chief indicated that it shakes his equipment apart every time he drives that road, so it's a critical need. The project that's proposed in here is primarily for the section of North Montana that approaches Lincoln Road.

Chairman Tinsley: Speaking from Prairie Road to North Montana.

Paul Montgomery: From Prairie Road to Lincoln Road.

Chairman Tinsley: I'd like to see if our Chief Administrative Officer or our Director of Community Development and Planning have any questions or comments they would like to make at this point.

Ron Alles: All I would add Commissioner is ditto the kudos. I think, I appreciate what Paul and Scott have done. It's an outstanding report, it's a lot to digest and I think as the County moves forward in the next year, in fact years, we'll rely on this report extensively as we address some of the issues we have in the valley. This does take us Lincoln Road north, we're working on other issues that involve Lincoln Road south, north from the City of Helena's limits and the Commission is going to have to grapple with combining all of that information and setting community policy that will address the public health and safety needs.

Commissioner Murray: Mr. Chair, if I may, one more question? On transportation, you're recommending a light at Montana and Lincoln Road, rather than a roundabout with apparently is the new fad in transportation devices, easier to maintain, is that personal preference?

Paul Montgomery: I'm afraid I can't speak for the sub-consultant we used, his name is Brett Campbell with WGM. I know that he has implemented roundabouts in Missoula, I think that he took a look at all of the case specific issues for the Lincoln and North Montana intersection and then recommended a signalization as it becomes warranted.

Commissioner Murray: Thank you.

Jerry Grebenc: Mr. Chair, if I might, thank Paul and Scott, but additionally Michael McHugh worked closely with both of them on this project from the beginning to the end as well.

Commissioner Tinsley: Absolutely. Michael thank you again for your involvement on this. We appreciate your hard work. This is a document that's going to be around for a long time and I don't know what we're, what our intentions are at this point on how we want to use it, whether as a guiding document or as some sort quasi regulatory document or what but it's going to be a valuable resource none the less. Thank you for your time and effort.

Paul Montgomery: I appreciate that, thank you. I have a handout that has the slides on it that I'd like to give you.

Chairman Tinsley: Michael.

Michael McHugh: Commissioners, there are other Staff members from the Water Quality District and Health Department that played a very important role.

Chairman Tinsley: I see Kathy Moore back there.

Michael McHugh: Yeah. For the record it should be noted that this is a public hearing and public comment should be taken. As Paul mentioned we did have several meetings, the first meeting as Commissioner Varone probably remembers dealt a lot about rabbits which was not included in the final draft. As Paul indicated there was over-whelming support of the recommendations in this plan by the 35-40 people that attended the meeting on October 27<sup>th</sup> of this year, but this is opened for a public hearing today.

Chairman Tinsley: Folks, we're now going to open a public hearing on the North Valley Infrastructure Project that you just saw the presentation on. If you have any comments please come forward, state your name and address for the record. Good morning Jim.

Jim Taylor: My name is Jim Taylor, I reside at 8422 Diamond Springs Drive and it's kind of pleasant to be able to stand up here and speak on an issue that doesn't directly involve a developer and a subdivision. I think Mr. Murray might recall several years ago, 3 probably, that I'd asked for this study to be done and I'm sure others did to, and I would like to thank the Commission and the Consultants for putting this together. When we as engineers represent sub dividers if you will, through that process we kind of gain a fairly intimate knowledge of the potential of certain areas, and having known the potentials of the North Valley for quite some time and I think I've visited with you before on this, it's very comforting to see this now, all of this data put in a public forum where others can see the attributes and the areas of difficulty. So basically, I would just extend my thanks for doing this study and it looks like it's something we can use to build on into the future.

Chairman Tinsley: Thank you Jim.

Jim Taylor: Thank you.

Chairman Tinsley: Further public comment?

Kathy Moore: Mr. Chairman, Commissioner Murray and Varone. I'm Kathy Moore of the Water Quality Protection District. I just want to say that the District completely supports this report with the exception of the roads, we don't do roads, and it's been a wonderful project. I think that Paul and Scott have done just a tremendous job on this. I would like to mention that during the last public meeting at Jim Darcy School there were people who volunteered to serve either creating water/sewer districts or in some way keeping the momentum going on this project, it is, has been very well received in the North Hills and also I would like to say that this report is probably a really good foundation for us to seek grant funding to funds some of these projects and any help that I can give I would be glad to give.

Chairman Tinsley: Thank you very much.

Commissioner Murray: Mr. Chair, question for Miss Moore.

Chairman Tinsley: Commissioner Murray.

Commissioner Murray: Mr. Chair, Commissioner Varone. Miss Moore, do you have a pro-active phase that you're taking to eliminate cesspools in the North Valley or at least identify them? That appears to be a contributing factor to water quality.

Kathy Moore: To directly answer your question, no, we don't have a pro-active program. We are looking at implementing a sewer maintenance district and we failed in our first go-around with that. That is not something that I've given up on and such sewer maintenance district preferably Countywide would be a pro-active program need at eliminating cesspools.

Commissioner Murray: Thank you.

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair, Commissioner Murray. Kathy, one of the questions that was asked and there was some discussion at the last Water Quality Protection District meeting had to do with lagoons. Kathy, you provided a very logical answer about the science of lagoons that are available today, would you mind sharing that with the rest of the Commission, considering Commissioner Murray's question?

Kathy Moore: Lagoons in my opinion are an excellent method of treating wastewater, when properly constructed. The construction standards that we had 30-40 years ago simply are not adequate and that's why we are seeing these systems fail. Systems that are created today are built with liners, they do not leak to the extent that those old systems leaked, if at all, and they can produce an effluent that is comparable with a municipal treatment system like the City of Helena, provided that they are operated correctly. An aerated lagoon in particular will provide very good treatment.

Commissioner Murray: It's interesting Miss Moore that the liners required for a septic system are less than Subtitle D requires for a landfill. Just an observation. Our landfill apparently is designed to catch more pollution going into groundwater than a septic systems.

Kathy Moore: It also typically contains more toxic pollutants than a normal septic system might contain.

Commissioner Murray: With the exception of ours. We're not finding that in our tests.

Kathy Moore: The landfill?

Commissioner Murray: Yes.

Chairman Tinsley: Further questions? Thank you Miss Moore. Any further public comment? For the second time. For the third and final time. This closes the public hearing. Commissioners, what's your pleasure?

Commissioner Varone: Mr. Chair?

Chairman Tinsley: Commissioner Varone.

Commissioner Varone: Mr. Chair, Commissioner Murray. I'm going to be gone for the next two weeks and I anticipate that the two of you will be considering how to move forward and just for the record, it's my preference to put together a resolution and pull this into our plan similarly to what we did with the other programs and I just wanted the public to know that that's my preference, whatever you folks decide to do in case I'm gone.

Chairman Tinsley: Commissioner Varone I think what we ought to do is probably table this until sometime in January, which will give us time to work with Staff on a resolution and what we would want to put in it and that way you would be back and all three of us would be available.

Commissioner Varone: That would be my preference.

Chairman Tinsley: Why don't we pick a date in January.

Commissioner Varone: Do we have to pick a date?

Chairman Tinsley: Or, can we just table it?

Ron Alles: I think you can just table it and we'll schedule it. Perhaps Staff should put up the in terms of those alternatives in adoption of this document some discussion points relating to each of those, the benefits, the downsides to each of those.

Chairman Tinsley: Great.

Commissioner Murray: Mr. Chair, I wonder if it wouldn't be appropriate, at least by motion today to accept the document that releases Anderson-Montgomery from further work on the document by having the Commission accept it and make the public aware it's a document and we're accepting the fore study by the Commission and adoption of a resolution in the future.

Chairman Tinsley: Would that be a motion?

Commissioner Murray: That's a motion.

Commissioner Varone: Second.

Chairman Tinsley: We have a motion and a second. Any discussion? All in favor of the motion signify by saying Aye.

Commissioner Murray & Commissioner Varone: Aye.

Chairman Tinsley: Aye. Motion passes 3-0. Folks, thanks again. Very good document and we're very pleased with what we've seen so far. We're going to be using this. Ok, next item on the agenda and that's the last item, is public comment on matters not mentioned above. Has anybody have any public comments on anything not mentioned this morning? Well, thank you all for coming this morning and as my friend Dean Retz says, Go Saints!

**Public comments on matters not mentioned above.** None

**Adjourn.** Adjourned at 9:49 a.m.

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*Announcements*  
*Public Meeting Canceled. December 20*  
*Holidays. Monday, December 26 and January 2.*