

SUBDIVISION MEETING
February 9, 2006

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

Commissioners Murray is present. Commissioner Tinsley is absent on personal business. Others attending all or portion of the meeting include Ron Alles, Jerry Grebenc, Audra Zacherl, Laura Erikson, Michael McHugh, Tony Prothero, Jeremy Perlinski, Ron Solberg, John J. Oitzinger, Archie Taylor, John C. Van Swearingen, Alma Dickey, Ward Stiles, Chris Kirkland, John Oslie, Tammy Oslie, Carl Peil, Rich Armstrong, John H. Traub, Jim and Jane Weaver, Betty Dotson, Thurston Dotson, C.D. Oliver, Rick & Laurie Tryan, Duane & Beth Noel, Pam Bailey, Pete McHugh, Kris Dalton, Tom Glendenning, Dean Zinnecker, Liz Van Genderen, Robert and Mildred Ewing, Bernie Adams, Adolph Timm, Todd Foster, Pete Elliott, Don Zelenka, M. Wilson, Jason Mohr, and Maria Penna.

Pledge of Allegiance. Everyone recited the pledge.

Consent Action Items. Ron Alles reported on the consent items.

- a. Vendor Claims Report for the week of February 6, 2006. (Audra Zacherl)
- b. MOU with the Montana Department of Transportation for use of Applegate Pit for equipment operator training.
- c. Montana Board of Investments. Intercap Loan Drawdown Request for Radio Project.

Commissioner Murray moved to approve the consent agenda and authorize the Chair to sign. Commissioner Varone seconded the motion and it carried 2-0.

Sierra Road South Wastewater Treatment Facilities Draft Preliminary Engineering Report. (Laura Erikson, Grants Coordinator). Ms. Erikson stated previous reports have been done and indicate there are problems with wastewater in the valley and degradation to groundwater will continue with potential impacts to public health if improvements are not made. The draft PER prepared by Morrison-Maierle discusses alternatives that may help solve some of the existing wastewater problems. Jeremy Perlinski will summarize the draft Preliminary Engineering Report.

Ron Alles mentioned that a copy of the PER is available for public review in the Commission office and also on the county website.

Jeremy Perlinski stated some comments have been received from individuals and a meeting was held with the Ten Mile/Pleasant Valley homeowners to discuss their portion of this PER. Today's public meeting is to discuss the PER process and how it involves the wastewater problems in the valley. The purpose of the PER is to develop tools to assist with decision-making. It will look at the problems, come up with alternatives, and produce cost estimates to allow the county to make decisions on where they want to go. The PER will also allow the county to secure grants and low interest loans from state and federal programs. He gave a brief summary of the PER process.

Morrison-Maierle took a two-stage approach to the PER. They looked at the community wastewater systems that exist within the planning boundary and then the individual on-site wastewater treatment systems that exist in the valley. The Ten Mile/Pleasant Valley systems were evaluated because they share a common treatment facility. The current treatment facility for Ten Mile/Pleasant Valley was built in 1978. The wastewater receives minimal treatment as it seeps into the ground which could cause potential contamination of ground water, so the conclusion is that major upgrades of the facility needs to take place.

The Treasure State Subdivision collection system is also a gravity system and is approximately 35 years old but appears to be in good condition. The wastewater facility is a two-lagoon system and based on estimated flow generated by the subdivision there appears to be a storage capacity problem. The conclusion is to build an additional storage lagoon.

The second stage of the PER addresses the individual on-site wastewater treatment systems. There are approximately 1,500 existing on-site wastewater treatment systems within the planning area. The performance of on-site systems depends primarily on site characteristics and maintenance. The collection system alternatives that were addressed for the community systems were to leave it as is with continued operation and maintenance and replace the gravity sewer mains. The alternatives were evaluated by cost effectiveness comparisons. He recommends connecting to the City of Helena Wastewater Treatment Plant, abandoning the existing treatment facilities, and constructing the regional lift station.

The location of the proposed lift station is Sierra Road, east of the Interstate. A gravity sewer main would be installed from the Treasure State lagoons to Sierra Road where it will flow by gravity. A force main would be installed to pump back to the City of Helena Treatment Plant. Total project cost for the regional lift station is about 4 million dollars. This includes construction contingencies along with the true cost to build the lift station and engineering and administrative costs. Initial funding is being pursued from private developers within the area, a State Tribal Assistance Grant for \$830,000 that can be used for existing wastewater problems within the county; and the county would borrow \$1.9 million to make up the gap financing that would be paid back over time to complete the funding for the project. The timeline is to respond to comments in February, produce the final publication of the PER sometime in March, and have the Commission adopt this as a formal document in late March.

Commissioner Murray stated the homeowners will have to decide if they want to hook up to the pipe, not the Commissioners. Today's meeting for the County Commissioners is whether or not to accept the engineering report.

Commissioner Varone stated the Commission asked that this PER be prepared which is an update of the Helena Area Wastewater Treatment document.

Chair Varone. Commissioner Murray, may I suggest that you to make a motion to accept the transcript that was provided us, it's a 28 page transcript if anybody, if any of you are interested in getting a copy of it, regarding the January 25 Pleasant Valley/Ten Mile public meeting that was held?

Commissioner Murray moved to incorporate into the public record the transcript from the February 6 ---**Murray, did you intend to say January 25 ??** public meeting staff held regarding the report, as well as letters from Mr. Oitzinger, Mr. Wilson, and several e-mails. Commissioner Varone seconded the motion and it carried 2-0.

Commissioner Varone announced this meeting will continue to 6:30 tonight at the Rossiter School gym. If the county decides that to accept this report, staff will recommend some alternatives to pay for this infrastructure. At the end of the public comment portion of this meeting, the Commission will ask the consultants to answer some of the questions presented by the public.

The Commission opened the public meeting.

John J. Oitzinger, representing the partnership that owns the Silver Maple Ranch. He urged the Commission to include in Transition Area F the area east of Prickly Pear Creek that could be served by a collector system. They would be willing to contribute a portion of the cost of the revised study.

Kim Wilson, Attorney, 401 N. Last Chance Gulch, representing Barry Simmons, Don Zelenka and Pete Elliott. His letter outlines his questions and concerns. His clients' are concerned with the affect of long-term development with the collection system and the lift station in that part of the valley. Both the City and the County Growth Policy do not identify the area between the interstate and Prickly Pear Creek as a major growth area. He urged the Commissioners to take a comprehensive look at the long-term affect before construction begins.

Dan Oliver, 1438 Concord Road. He suggested if the money is to be spent in a short period of time that it be spent by putting in a septic water treatment system for Sewell and Bel Air Subdivisions.

Commissioner Varone stated the county has approximately \$830,000 to expend with a time line. If the Commission decides not to support this document it will need to be spent in another area. The homeowners have a responsibility to maintain and fix their systems and if you chose to do that rather than move into the city system that is up to you. If however, this project moves forward and a lift station is built and your community chooses to join, your subdivision will be annexed into the city.

Commissioner Murray stated the County just received a two-year extension on the money.

Thurston Dotson, 3845 Kitt Drive, discussed an alternative that was not raised in the PER, such as could the developers provide contract lift station services where the city could not gain ownership.

Tom Glendenning, 4250 Wolverine Drive. He was informed by those who maintain the Treasure State Acres wastewater treatment plant that the system is in excellent condition. The subdivision is fully built so no new users will be added to the system. He asked if there is some methodology to recapture the capital and operating costs to build this new wastewater system.

Jim Weaver, 1202 Hilmen Road, is interested in knowing how the three subdivisions north of Sierra Road will be affected by the proposed construction.

Mike Fillingier, 5532 El Dorado Court, asked how the study area was developed and if there has been an increase in nitrates and what is the cause.

Pete Elliott, 2218 York Road, stated he does not see the problem solving analysis identifying environmental impact in the study for areas of largely open space, agricultural and riparian zones along the Prickly Pear Creek and Ten Mile Creek. He does not want to compromise the wildlife and agricultural ground. Is it possible to manage growth that follows the pipeline to preserve wildlife and the core reasons why we live in Montana. Can the pipeline be moved out of close proximity to the Prickly Pear drainage and move it west towards the problem areas.

Bernie Adams, 5645 Empire Court. He is the water operator for the subdivision. The engineering study does not mark where the other potential sewer pipelines would run. He would like more information regarding projected costs, on-going costs, hook-up costs, the effect of property taxes for the homeowners, and what will happen to the water rights for individual's wells.

Marty Heller, asked why the city and the county has not addressed solving the problems that exist now instead of putting a line out where there is minimal development.

Ken Swain, 1110 Sierra Road. The Kramer Subdivision and several smaller subdivisions are not listed on the map and is concerned that some of the developments are in the flood plain. He does not believe the sewage that is being produced today can be treated. He suggested building a treatment facility at the end of the pipeline and discharge that water into Lake Helena which would decrease the nitrate level.

Commissioner Murray informed Mr. Swain the City has remodeled the treatment plant twice and the facility is currently operating at 50% capacity not full capacity.

Commissioner Murray moved that the public record be kept open until February 17 at 5 p.m. to submit written public comments. Commissioner Varone seconded the motion and it carried 2-0.

Commissioner Varone asked the consultant questions presented by the public:

#1. How was the study area determined?

Phil Forbes, Morrison-Maierle, stated they proposed to establish a planning area to make sure everything within that area would reasonably drain by gravity to the site on Sierra Road.

#2. How do those areas that were not addressed fit in after the report is accepted?

Mr. Forbes stated those areas would require additional capital expenditures. In serving this planning area and addressing existing problems would require the extension of a trunk sewer main from the lift station site in the Sierra Road right-of-way west under the interstate and into that area. Additional sewer mains would extend both north and south to serve those areas directly. The PER has a finite life to it and as demographics change, it may be revisited in the near future.

#3.a. Why was the line placed where it is? Would it have been more reasonable to place it further west but still on the inside of the interstate?

#3.b. Why wasn't the line designed to be on the west side of the interstate to address some of those homeowners who seem to have current problems?

Mr. Forbes stated the driving force for pursuing this project was the opportunity to gain public/private partnerships to look beyond the needs of one subdivision and address some of the other known problems. The routing of the sewer line was laid out to be the most cost effective.

Commissioner Murray responded to Mr. Oliver's question why the Commission is not considering building a septic treatment system in the valley and cost involved. The Commission's concern over the years has been can the residents afford the 25-50 million dollars it would cost to build such a facility, but the Commission is considering it.

Commissioner Varone stated approximately a month or so ago the Commission accepted another report from a consultant to study the infrastructure in the area north of Lincoln Road. The report talks specifically about water, wastewater, and roads. The recommendation was to build a facility out there that could handle a large area as well as a sewer system which would flow to a gravity area. This is something the Commission we will be looking at in addition to the report which is being considered today.

Commissioner Murray stated Commissioner Tinsley intends to listen to this morning's testimony as well as read the written transcript and he intends to vote on the proposed engineering study when applicable.

Public comments on matters not mentioned above. None.

There was no other business and the meeting recessed at 10:29 and will continue at 5:30 tonight.