

## PUBLIC MEETING

January 31, 2008

Chairman Ed Tinsley called the meeting to order at 9:04 a.m.

Commissioner Mike Murray was present. Commissioner Hunthausen was absent attending the Rocky Mountain Program in Colorado Springs, CO. Others attending all or a portion of the meeting included Ron Alles, Frank Rives, Chris Sherwin, Cliff Christian, John Grant, Jack Walsh, Nick Miller, and Carole Byrnes, Executive Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. Ron Alles reported on the consent agenda and recommended approval.

- a. Renewal of Subgrant Application through the Board of Crime Control Enforcing Underage Drinking Laws in the amount of \$50,881.75 (Sheriff/Tammy Hjelseth)

Hearing no public comments, Commissioner Murray moved approval of the consent agenda and authorized the Chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

Proclamation. February American Heart Month. Commissioner Tinsley read the proclamation in recognition of the ongoing fight against heart disease. The Commission proclaimed February 5, 2008 to be "Wear Red Day for Women" and urged all citizens to show their support for women and the fight against heart disease by commemorating this day by the wearing of the color red.

Cliff Christian, American Heart Association, Helena and Chris Sherwin, Vice-President for Advocacy for the Pacific Mountain Affiliate of the American Heart Association of Denver, Colorado, thanked the Commissioners for the proclamation "Go Red For Women" campaign. Through community awareness, the Association hopes to reach their 2010 goal of reducing heart disease and stroke in women by 25%. Heart disease is the primary killer in women. Women were encouraged to take care of their hearts.

Commissioner Murray mentioned an education program to take place at St. Peter's Hospital.

Hearing no comments from the public, Commissioner Murray moved that the Chair be authorized to sign the proclamation. Commissioner Tinsley seconded the motion and it carried 2-0.

Proposed Abandonment of a Segment of Right-of-Way of Gates of the Mountains Road. (Petitioner, Gates of the Mountain Foundation) (Planner, Michael McHugh) (Tabled from 1/29/08) (Decision) The Commissioners will consider a petition from the adjacent landowner to close and abandon a segment of a surveyed right-of-way of the Gates of the Mountains Road. The segment of county road right-of-way is approximately 300 feet long and 60 feet wide. The property is owned by the Gates of

the Mountains Foundation; legally located in Sections 2 and 3 of T12N, R3W.

Michael McHugh stated there was discussion at the previous meeting about placing a requirement that the conservation easement be in effect prior to the final abandonment and closure of the road. Discussions with the county attorney indicated that that is a possibility to place that condition in addition to staff's recommended conditions of approval.

John Grant said the petitioners would have no problem with the requirements. He expects to have the conservation easement worked out this spring.

Commissioner Murray moved that the county abandon the section of road in question, inside the gate of the Gates of the Mountains recreation area subject to the conditions as recommended by staff with the additional condition that the abandonment is in concert with the Gates of the Mountains Foundation filing a conservation easement on their property. Commissioner Tinsley seconded the motion.

Commissioner Murray commented that there is a sore thumb among both the Gates of the Mountains and the American Bar and as mature adults implored the parties to work towards some mutual agreement with the American Bar Subdivision to correct the hard feelings that exist on both sides. Commissioner Tinsley agreed.

Hearing no comments from the public, the motion passed 2-0.

Request to Consider Change of Condition of Approval 19.d for the Amended Plat of Lot A Guettler Major Subdivision. (Applicant, Kim Smith) (Planner, Lindsay Morgan) The Commissioners will consider applicant's request.

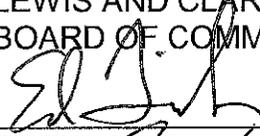
Lindsay Morgan reported the applicant received preliminary plat approval on August 22, 2005. One of the conditions of approval was that he have a setback from the irrigation canal. The regulations required the setback to go from the high water mark of the canal but the condition read that the setback would start from the actual easement for the canal. Mr. Smith is asking that the condition be amended to read, the setback would go from the canal high water mark, which is what the regulations state. He requested the Commission allow him to go through the process to modify that condition.

Hearing no comments from the public, Commissioner Murray moved that staff schedule a public hearing to review the request of Mr. Smith. Commissioner Tinsley seconded the motion and it carried 2-0.

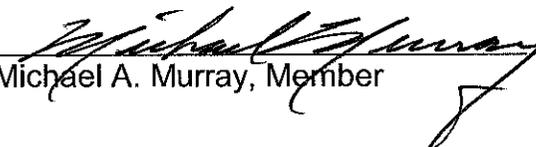
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business and the meeting adjourned at 9:15 a.m.

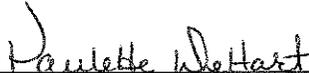
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Ed Tinsley, Chairman

  
\_\_\_\_\_  
Andy Hunthausen, Vice-Chair

  
\_\_\_\_\_  
Michael A. Murray, Member

ATTEST:

  
\_\_\_\_\_  
Paulette DeHart, Clerk of the Board