

**PUBLIC MEETING  
January 6, 2009  
MINUTES**

Commissioner Andy Hunthausen called the meeting to order at 9 a.m. Commissioners Mike Murray and Derek Brown were present. Others attending all or a portion of the meeting included Ron Alles, Kelly Blake, Jeff Sealey, Dean Retz, Jim Taylor, Pete and Marlyn MacKenzie, Alex Brown, Kim Overcast, Sandra Rolan, Carrie Severson, Carole Byrnes, and Gayla Lott Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Commissioner Hunthausen welcomed newly elected County Commissioner Derek Brown.

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

- a. Contract and Encroachment Agreement with Todd Dunlap. Domestic water well encroaching 1.5 feet into the easement. Property known as Lot 20, 2136 Crested Wheat Loop. (Permit Coordinator, Christal Ness)
- b. Resolution 2009-1 Ordering a Refund of Taxes/Fees/Assessments Paid to National City Commercial Capital Corp in the amount of \$647.70. (Cheryl Green)
- c. Resolution 2009-2 Ordering a Refund of Taxes/Fees/Assessments Paid to Deborah Clark in the amount of \$118.85. (Cheryl Green)
- d. Resolution 2009-3 Declaring County Property Surplus Property individually valued at \$2,500 or more. 1977 627B Scraper and 50' Tarping machine (Landfill)

Mr. Alles mentioned that this is the only body that can refund taxes paid.

Hearing no public comments, Commissioner Murray moved approval of the consent agenda and authorized the Chair to sign. Commissioner Brown seconded the motion and it carried 3-0.

Public Hearing. Resolution To Create Rural Improvement District No. 2008-9 to be known as Sky View RID. Carrie Severson reported the Sky View subdivision is located in the north valley off of Montana Avenue. The homeowners association proposed to create an RID to help maintain the roads.

Commissioner Hunthausen opened the public hearing.

Kim Overcast, 1155 Avian Road, is Vice President of the Sky View Homeowners Association, expressed support of the RID for the subdivision.

Hearing no other public comments, the comment period closed.

Commissioner Brown moved approval of the resolution and authorized the Chair to

sign. Commissioner Murray seconded the motion and it carried 3-0.

Public Hearing. Resolution Levying and Assessing a Tax Upon All Benefited Property Within Fox Crossing Rural Improvement District No. 2008-6. Carrie Severson reported the RID has been established and this is the resolution that placed the rates on the taxes effective January 2009. The improvements are for chip seal for Phases I and II. The maintenance cost would include a future chip seal for all of the roads within the subdivision at a cost of \$53.73 per year for 15 years. Maintenance includes a future chip seal in 7 years. The engineer has estimated \$290.45 per parcel per year.

Commissioner Hunthausen opened the public hearing.

Alex Brown, 3310 Violet Drive, had questions of concern: (1) Why are we bowring this money to chip seal it now when in fact if the road only needs it once every 7 years; (2) the estimated cost of chip seal is \$66,000. This is a big increase \$66,000 to \$140,000; and (3) is there any accountability for this money?

Sandy Roland, Secretary of the Homeowners Association. Phase III was chip sealed and paved one year ago. There will be a problem on Sly and Fox Crossing going into Phase III with heavy construction trucks with the new neighborhood being developed. Is Mr. Tennison responsible for Phase III lots that are not yet developed? What road maintenance is included in the RID?

Hearing no other public comments, the comment period closed.

Ms. Severson explained the RID and notification process.

Mr. Alles answered some of these questions for the general public review. The 7 year figure on the chip seal is an average estimate. The cost of the chip seal is \$66,000 and over a 15 year period of time we would collect \$140,000. The \$140,000 would also pay for plowing and an inflation factor for the cost of oil for future chip seal. Homeowners would have cash to pay for the next chip seal rather than borrow money and pay interest on that loan, like we are doing for this first one. As far as the accountability for the money, each RID has its own fund and maintain its own cash balance, expenditures and revenues. As owner of the remaining lots, Mr. Tennison would be responsible for his portion of the RID.

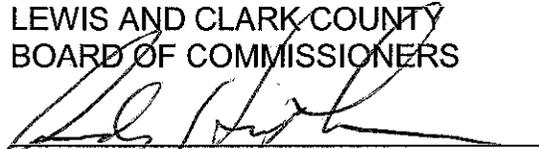
Commissioner Murray moved to table a decision until the regular scheduled public meeting on January 27 at 9 a.m. Commissioner Brown seconded the motion and it carried 3-0.

Board of County Commission Chair & Vice-Chair Designation for Calendar Year 2009. Commissioner Brown moved that Andy Hunthausen be designated as Chairman for the 2009 calendar year and Mike Murray be designated as Vice Chair. Commissioner Murray seconded the motion and it carried 3-0.

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 9:32 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Andy Hunthausen, Chairman

  
Michael A. Murray

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Derek Brown

ATTEST:

  
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Paulette DeHart, Clerk of the Board