

**PUBLIC MEETING
January 29, 2009
MINUTES**

Chairman Andy Hunthausen called the meeting to order at 9:00 a.m. Commissioners Mike Murray and Derek Brown were present. Others attending all or a portion of the meeting included Kelly Blake, Jeff Sealey, Ray Fuller, Jack Hamlin, Giles & Marty Walker, Joyce & Ed Baum, Jack Hamlin, Russ McDonald, Steve Pilcher, Carine Zook, Susan Epstein, and Gayla Lott, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Announcement. February 10, 2009 Public Meeting Canceled – MACo Conference

Consent Action Items. Kelly Blake reported on the consent action items and recommended approval.

a. D.A. Davidson & Co. General Obligation Bonds Proposal. (Nancy Everson)

No public comments were received.

Commissioner Murray moved approval of the consent action items and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

West Helena Cell Tower Minor Subdivision - A Space for Rent, Lease or Other Conveyance. (Applicant/Lessor: Global Tower Partners, LLC / Owner: J&R Inc.) (Planner, Rebecca Shaw) (cont. from 1/27/09) (Decision)

Rebecca Shaw stated that the applicant received new information from the FAA that a red light is needed on top of the pole.

Commissioner Murray moved approval of the proposed subdivision subject to 10 conditions as outlined in the staff report. Commissioner Hunthausen seconded the motion.

Commissioner Murray moved to add Condition 11, that the light be screened upward and shielded from the neighborhood. Commissioner Brown seconded the motion. The motion carried 3-0.

~~Adoption of Neighborhood Plan/Development Pattern and Regulations for Special Zoning District No. 45 South Scratchgravel Hills Planning and Zoning District.~~ (~~cont. from 01/27/09 public hearing~~) (Planner, Lindsay Morgan) (~~Decision~~)

Jeff Sealey reported that Part 1 Zoning statutes state a majority of the whole commission is needed to make any decision to adopt the development pattern and to recommend regulations. The vote turned out 3-2 for the development pattern and that was not enough. Four votes were needed. Therefore, the county attorney's office

recommendation was that the Commission remand this back to the planning and zoning commission for further proceedings, adopt the development pattern, and make a recommendation on the regulations.

Commissioner Murray moved that the planning and zoning commission reconvene at 5:30 p.m. on Wednesday, February 4 in Commission Chambers and table this item for the county commission until February 5 at the regular scheduled public meeting. Commissioner Brown seconded the motion. The motion carried 3-0.

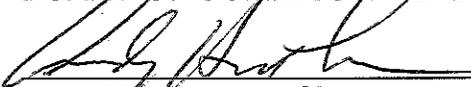
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above.

Ray Fuller, 706 Knight Street asked a procedural question on the vote.

Jeff Sealey stated that the Commission can reconvene to make another vote.

There was no other business and the meeting adjourned at 9:19 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



Michael A. Murray

Derek Brown

ATTEST:



Paulette DeHart, Clerk of the Board