

**PUBLIC MEETING
February 3, 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 Ron Alles, Frank Rives, Carrie Severson, Rebecca Shaw, Dean Retz, Lee Curtis, June Curtis, Jo Curtis, Bryce Maxell, Jim Taylor, and Gayla Lott, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

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

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

- a. Lewis and Clark Conservation District 223 Grant Application to verify mills levied for Project: Publication & Distribution of Statewide CD Newsletter. Amount requested \$25,259. (Nancy Everson)

No public comments were received.

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

Public Hearing. A Resolution Levying And Assessing A Tax Upon All Benefited Property Within The Sky View Rural Improvement District No. 2008-9. (Carrie Severson)

Carrie Severson reported that the RID was initiated by the Sky View Homeowners Association. The commission effectively established the district on January 6. The estimated annual costs of the improvements are \$9,996 for a period of 10 years, or \$79.97 per parcel. Annual maintenance is estimated at \$23,363.75 per year, or \$186.91 per parcel. The maintenance fee and boundaries can be adjusted once per year by the commission prior to the first Monday of September of each year. One letter was received in opposition to the district.

Lee Curtis, 1030 Avian Road, spoke in favor of the proposal.

No other public comments were received.

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

Amended Lot 79, Panoramic Meadows Major Subdivision. (Applicant: Greg Curtis) (Planner: Rebecca Shaw). The Commissioners will consider changing the previously approved use from a multi-family lot to a commercial lot for Amended Lot 79, Panoramic Meadows Major Subdivision subject to 16 conditions of approval. The proposed subdivision is generally located on the northeast corner of Mountain Heritage Road and Lincoln Road.

Rebecca Shaw presented the staff report. There is no zoning in this area. The applicant has submitted a letter asking for a suspension of the review period and to look at this application at a later date. The planning board approved the proposal 5-2.

Dean Retz, 155 All Sports Court. The review period ends February 25th. We would like a delay, basically it boils down that we want to make sure the prospective buyer and the seller are on the same page.

Jim Taylor, 8422 Diamond Springs, commented on zoning-type regulations on commercial property.

Bryce Maxell, president of Gable Estates Homeowners Association, an adjacent subdivision. This HOA is in opposition to the project. Concerns include lack of communication between the planning staff, the fire department, and the developer; water pollution and light pollution. The HOA would like to receive notice of future public meetings.

Commissioner Murray moved that the statutory deadline be moved to February 3, 2010 and leave the hearing open until that time. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

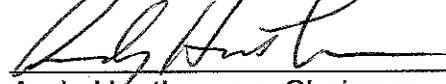
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above.

Jim Taylor, 8422 Diamond Springs Drive, discussed the concept of holding informational forums and meetings regarding issues facing the county. MAPGrowth proposed to moderate a panel of individuals selected on both side of the issue.

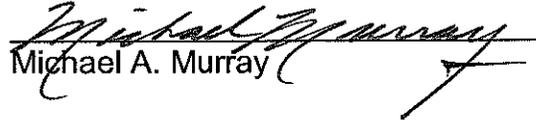
The Commission will take the proposal under advisement.

There was no other business, the meeting adjourned at 10 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



Michael A. Murray

Derek Brown

ATTEST:


Paulette DeHart, Clerk of the Board