PUBLIC MEETING
DECEMBER 27, 2011
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, December 27, 2011, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Derek Brown called the meeting to order at 9 a.m.
Commissioners Mike Murray and Andy Hunthausen were present. Others attending all or a portion of the meeting included Kelly Blake, Eric Bryson, Cheryl Green, Tom Stevison, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

a. Amendment No. 2 to Independent Contractor Contract Between Lewis & Clark County and TerraGraphics Environmental Engineering, Inc., Dated June 17, 2011, Extending the Contract Completion Date to December 31, 2012, and Modifying the Scope of Service. (Kathy Moore)
b. Contract No. 12-222-14014-0 Between MT Dept. of Public Health and Human Services, Senior and Long Term Care Division, and Lewis & Clark County Health Dept. for Montana Big Sky Home and Community Services Waiver Case Management Services. Contract Period: Jan. 1, 2012 – June 30, 2013. (Dorothy Bradshaw)
c. Amendment No. 1 to Task Order Number 12-07-5-01-025-0 Between Lewis & Clark County and Montana Dept. of Public Health & Human Services for Additional Reporting for Compliance with the Federal Funding Accountability and Transparency Act. (Dorothy Bradshaw)
d. Resolution 2011-204 Ordering a Refund of Taxes/Fees/Assessments Paid by Daniel J. & Lauren J. McGrane in the Amount of $544.60. (Cheryl Green)

Eric Bryson reported on the consent agenda and recommended approval.

No public comment was received.

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

One-Year Extension Request and Approval of Amended Subdivision Improvements Agreement – Amended Plat Lot 2A Krause Major Subdivision, (aka Krause Acres II) to December 31, 2012. (Applicants: Tom and Phyllis Stevison) (Planner: Michael McHugh) A five-lot major subdivision, each for one single-family dwelling. The subject property is located in the SE¼ of Sec. 22, T10N, R4W, and east of and adjacent to Park Lane and south of Euclid Avenue, Helena, Lewis & Clark County, Montana.

Kelly Blake presented the staff report. The applicant has reduced the amount of the original Subdivision Improvements Agreement Letter of Credit which was previously $100,845 and has submitted a new estimate of the conditions left to complete. A cashier's check is on file in the Treasurer's Office in the total amount of $11,326 to reflect the new estimate of the conditions left to complete. The issues that need to be resolved are under Condition 7.b. dealing with improvements to Park Lane and Clarke Place. If an easement extending Park Lane southward to intersect with Le Grand Cannon Boulevard is established and Park Lane is constructed to County Road Standards, improvements to Clarke Place will not be required.

Tom Stevison, 3900 Traufer Avenue, Helena. Le Grand Cannon Boulevard was not a legal access way at the time he applied for this subdivision; it is only a legal access route up to the end of that property line. He established an easement on Clarke Place. His plan is to do the road but doesn't believe he's under a legal binding to do it according to the Christison court case.

Kelly Blake, an additional issue was in December of 2010, Mr. Stevison applied for a modification and was granted approval by the Commission to proceed but at this point, the applicant never pursued the ability to proceed with the full hearing on the modification.

Discussion ensued regarding why the Commission would consider an SIA when there is no final plat. It is not certain what date the final plat was filed with the Clerk and Recorder. Mr. Stevison stated his intent was to complete the road.

No public comment was received.

Commissioner Hunthausen move to approve a one-year extension request and Approval of Amended Subdivision Improvements Agreement to December 31, 2012, as presented by staff and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

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

There was no other business, the meeting adjourned at 9:27 a.m.

ATTEST:

Paulette DeHart

Paulette DeHart, Clerk of the Board

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Derek Brown, Chairman

Andy Hunthausen

Michael A. Murray