

**PUBLIC MEETING
JANUARY 7, 2014
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, January 7, 2014, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chair Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Mike Murray was excused attending a NACo Meeting in Washington, D.C. Others attending all or a portion of the meeting included Eric Bryson, George Theborge, Katie Jerstad, Carrie Severson, Art Pembroke, Greg McNally, Al Knauber, Nancy Everson, Randi Triem, Ronald Stegmann, Patti Jacques, Laura Bennett, Mark Bennett, Kraig Glazier, Greg Peterson, Jim Kehr, Clara Wilson, Joe Schopfer and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

a. Vendor Claims Report for the Week of December 30, 2013. Nunc Pro Tunc (Marni Bentley)

Eric Bryson reported on the Consent Action Item and recommended approval.

No public comment was received.

Commissioner Hunthausen moved approval of Consent Action Item 2.a., as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Resolution 2014-7 Establishing the 2014 Fire Season and Related Burn Permits and Fees for Lewis and Clark County. (Art Pembroke)

Art Pembroke, IT&S Director, presented Resolution 2014-7 Establishing the 2014 Fire Season and Related Burn Permits and Fees for Lewis and Clark County, and briefly reviewed the history and operations of the burn permit system. Implementation of the system had resulted in greatly reduced numbers of unnecessary calls to the Dispatch Center.

No public comment was received.

Commissioner Hunthausen moved approval of Resolution 2014-7 Establishing the 2014 Fire Season and Related Burn Permits and Fees for Lewis and Clark County, as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Public Hearing. Resolution 2014-3 Levying and Assessing a Tax Upon All Benefitted Property Within the Settler's Cove Rural Improvement District No. 1997-3. (Carrie Severson)

Carrie Severson, Special Districts Coordinator, noted RID No. 1997-3 was located on the lake end of Lincoln Road. The district boundaries and roads were viewed. A Resolution to Levy and Assess was last held in 2009. Notice of the current rate hearing was mailed and published and today was a public hearing. The method of assessment, as set out in the Resolution of Intent

1997-66, remained unchanged; today's hearing regarded a fee schedule change. Options for Commission action were presented.

Public hearing –

Ron Stegmann, 3615 Pelican Road, Helena, owner of two developed lots on Pelican Road close to the intersection with Lincoln Road, said it became apparent the previous assessment was not adequate to properly maintain roads in the RID. He initiated a survey to the approx. 50 members of the RID; generally the 30 percent response was in favor of spending more to improve road conditions. The survey was presented to the Settlers Cove Landowners Association meeting where it received favorable support; many members were in attendance today. With assistance from Jesse Whitford and Carrie Severson, a proposal was developed; options were considered that resulted in the draft resolution. Mr. Stegmann urged support of the resolution.

Greg Peterson, 5510 Rainbow Drive, Helena, president of the Board of Directors of Settler's Cove Landowners Association, recognized Mr. Stegmann for his efforts and urged support of the resolution.

Joe Schopfer, 5592 Rainbow Drive, Helena, voiced safety concerns due to the potholes in the road and travel speeds, and supported improvements to the road.

Gerald and Janice Hystad, 3570 Pelican Road, Helena, submitted written comments in opposition that were acknowledged by the Commission.

The public hearing was closed.

Commissioner Hunthausen moved to take Resolution 2014-3 under advisement and render a decision on January 9, 2014, during the regularly scheduled public meeting.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Public Hearing. Resolution 2014-4 Levying and Assessing a Tax Upon All Benefited Property Within the American Bar Rural Improvement District No. 2013-2. (Carrie Severson)

Carrie Severson, Special Districts Coordinator, noted the American Bar RID No. 2013-2, located north of York, across from the Gates of the Mountains area, was established Dec. 12, 2013. Resolution 2014-4 addressed the amount of taxes to be levied; about \$100 per lot per year. The petition, received in July, represented about 60 percent of the parcels. A Resolution of Intent was passed in October, followed by the Resolution to Create the District in November. Notice was provided to affected property owners within the district regarding today's Resolution to Levy and Assess. Written comment from Margaret Wilkison and Ms. Severson's response were provided to the Commission.

Public hearing –

Patti Jacques, 8560 Backburn Road, American Bar, requested amending the Resolution to include an additional three-tenths of a mile of road.

Jim Kehr, 21 South Hills Drive, Clancy, concurred, stating it was an oversight to not have included the three-tenths of a mile originally and urged amending the RID to include the

additional section of road.

Public hearing was closed.

Commissioner Hunthausen moved to take Resolution 2014-4 under advisement and render a decision on January 9, 2014, during the regularly scheduled public meeting.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Resolution 2014-5 Abandoning a Portion of County Road Easement known as King Post Loop in Sec. 18, Township 11N, Range 3 West, within the Timberworks Estates Subdivision. (Carrie Severson)

Carrie Severson, Special Districts Coordinator, presented Resolution 2014-5 Abandoning a Portion of County Road Easement known as King Post Loop, located within the Timberworks Estates Subdivision, Phase 1. During the May 31, 2012, public hearing the Commission conditionally approved the abandonment of the easement with three requirements.

No public comment was received.

Commissioner Hunthausen moved approval of Resolution 2014-5, Abandoning a Portion of King Post Loop, as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Cattle Predatory Control Program for Lewis & Clark County. (Carrie Severson) The Commission will consider the petition and resolution requesting the establishment of a County Predator Control for Protection of Cattle fee of \$1.00 per year to be made available for organized predator control and to be expended in cooperation with the MT Dept. of Livestock, State producers Associations and the U.S. Dept. of Agriculture, APHIS, Wildlife Services Program.

Carrie Severson, Special Districts Coordinator, explained that the County received a petition on Nov. 22, 2013, to establish a cattle predator control program in the County, representing 54 percent of the 22,874 cattle in the County for the tax year. The petition requested that \$1 per head be made available for the organized Predator Control Program in cooperation with the Montana Dept. of Livestock and Dept. of Agriculture, Wildlife Services Program. Sec. 81-7-605(1), MCA, required the Commission to establish a program if a petition representing more than 51% of the cattle owned by producers in the county was received. Resolution 2014-6 presented for consideration and approval.

Craig Glazier, MT Dept. of Agriculture, Wildlife Services, provided background on the petition requested by cattle producers in the Helena Valley, Canyon Creek, Wolf Creek, Lincoln and Augusta. The Wildlife Services Program currently operated in 53 of Montana's 56 counties; 47 counties have sheep petitions; 23 have cattle petitions, with 3 pending approval to establish predator control programs specific to fox, coyotes, mountain lions, black bears, grizzly bears and wolves.

No public comment was received.

Commissioner Hunthausen moved approval of Resolution 2014-6 Establishing a Per Capita

License Fee on Cattle within Lewis and Clark County to be used for a Predatory Animal Control Program.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Public Meeting. Proposed Subsequent Minor Subdivision to be known as the Amended Plat of Lot 1, Timberworks Estates, (Phase 1). (Applicant: Big Sky Storage Center, LLC) (Planner: Greg McNally) The Commissioners will consider the request for final plat for a Subdivision located north of Kingpost Loop and west of North Montana Avenue. Preliminary approval of this subdivision was granted on July 26, 2012. In addition, the Commissioners will receive any associated public comment related to the requested final plat approval.

Greg McNally, Planner, presented the applicant's request for Final Plat of the Amended Plat of Lot 1, Timberworks Estates, Phase 1, located north of Kingpost Loop and west of N. Montana Avenue. Six items were considered in the final approval as noted in Staff's memo of Dec. 27, 2013. Nine Conditions of Approval were associated with the preliminary approval granted on July 26, 2012. With approval of Resolution 2014-5 earlier in today's meeting, all Conditions had now been met. A copy of the Plat, including the dedications and signature lines was viewed.

No public comment was received.

Commissioner Hunthausen moved approval of the Proposed Subsequent Minor Subdivision to be known as the Amended Plat of Lot 1, Timberworks Estates, Phase 1.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Board Appointment(s)

- Weed Board

Commissioner Hunthausen moved to appoint Charles Butler to serve a 3-year term on the Weed Board that expires Dec. 31, 2016, replacing Dennis Milburn; and moved to appoint Tommy Thompson to a new, retroactive 3-year term expiring Dec. 31, 2015.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

- Transportation Coordinating Committee

Commissioner Hunthausen moved to appoint Bob Filipovich as a citizen-at-large, to the Transportation Coordinating Committee, to a 2-year term expiring Dec. 31, 2015.

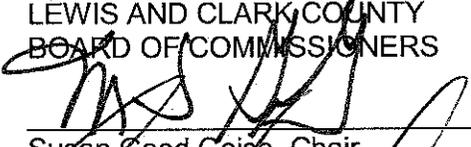
Commissioner Good Geise seconded the motion. The motion carried 2-0.

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

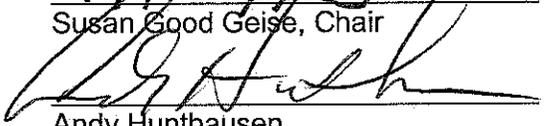
Patti Jacques, Center for Mental Health Foundation Board member, and NAMI Board member, welcomed Commissioner Good Geise to the Center for Mental Health Board. Ms. Jacques spoke about NAMI's \$20,000 donation towards the purchase of furniture for the new Crisis Center, and her work on a grant to secure funding for appliances and laundry equipment for the Center.

There was no further business and the meeting adjourned at 10:04 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

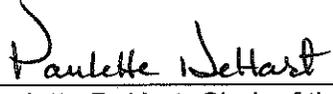


Andy Hunthausen



Mike Murray

ATTEST:



Paulette DeHart, Clerk of the Board