

**PUBLIC MEETING  
NOVEMBER 20, 2014  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, November 20, 2014 at 10 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 10 a.m.

Commissioner Andy Hunthausen and Commissioner Mike Murray was present. Others attending all or a portion of the meeting included Eric Bryson, Jeremy Gersovitz, Michele Peterson-Cook, George Theborge, Christal Ness, Larry Hoffman, Glen Hayes, Kris Davenport, Cheryl Green, Kory Hofland, Frank Rives, Michael Cloninger, Leonard Cloninger, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance. Everyone recited the pledge.

Consent Action Items. (Eric Bryson)

- a. Vendor Claims Report for the Week of November 17, 2014. (Marni Bentley)
- b. Resolution 2014-125 Ordering a Refund of Taxes/Fees/Assessments Paid by The Boeing Company in the Amount of \$250,535.50. (Cheryl Green)

Eric Bryson reported on the consent action items 2 a-b and recommended approval.

Public Comment-

Kory Hofland, Unit Manager at the Montana Department of Revenue, stated that the strict property taxes are paid in full in June. In this case, the taxes were paid before the informal review and during the informal review the error was found.

Commissioner Murray moved to approve consent items 2 a-b.

Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Service Agreement between Lewis and Clark County and Bresnan Communications, LLC.  
(~~Tammy Potter~~) Eric Bryson

The Commissioners will consider the service agreement between Lewis and Clark County and Bresnan Communications, LLC to provide cable television services to the Detention Center in the amount of \$135 a month. The service period is for 60 months (5 years) and then monthly there-after.

Eric Bryson requested to table the item until Tuesday, December 9, 2014 at the regularly scheduled public meeting.

Commissioner Murray moved to table the item until Tuesday, December 9, 2014 at the regularly scheduled public meeting.

Commissioner Hunthausen seconded the motion. The motion carried 3-0.



Grant Application for the AGR Noxious Weed Trust Fund 2015 Education/Development for the Augusta Insectary. (Larry Hoffman)

The Commissioners will consider approving the grant application in the amount of \$7,500 with a match of \$13,845 for a total grant award of \$22,665.

Larry Hoffman presented the grant application for the 2015 Noxious Weed Trust Fund that provides for the education and development of the Augusta insectary.

No public comment was received.

Commissioner Hunthausen moved to approve the grant application.

Commissioner Murray seconded the motion. Motion carried 3-0.

Contract and Encroachment Agreement between Lewis and Clark County and Michael and Jennifer Hayes. (Christal Ness)

The Commissioners will consider an encroachment agreement with Michael and Jennifer Hayes allowing an existing structure to remain in the reservation easement. The property is on the west side of Lot 109-D of the Big Valley Lot 109 Minor Subdivision, also known as 105 Clear View Ct.

Christal Ness presented the contract and encroachment agreement with Michael and Jennifer Hayes allowing an existing structure to remain in the reservation easement. The garage is encroaching approximately 6 feet into the 50 feet reservation easement. The subdivision was approved in 1999 and the developer anticipated further development and reserved the easement for future development however, the road was never constructed.

No public comment was received.

Commissioner Murray moved to approve the encroachment agreement.

Commissioner Hunthausen seconded the motion. Motion carried 3-0.

Public Hearing. Proposed Closure and Abandonment of North Meadows Road Located Within Lot 23 of The Bridge Creek Estates Subdivision and Lot 1 of the Wirth-Brown Subdivision. (tabled from 11/18/14) (Applicant: Michael Cloninger) (Planner: Frank W. Rives)

The Commissioners will consider the proposed closure and abandonment of North Meadows Road located within Lot 23 of The Bridge Creek Estates Subdivision and Lot 1 of The Wirth-Brown Subdivision.

Frank Rives presented the additional findings of fact dated November 18, 2014.

Commissioner Geise stated that the public hearing is closed.

Commissioner Hunthausen moved to approve the closure and abandonment including the six conditions of approval, the finding of facts and the conclusion of law and the memo dated November 18, 2014 outlining the additional findings of fact, mm. and nn.

Commissioner Murray seconded the motion. Motion carried 3-0.

Public Hearing. Proposed Closure and Abandonment of an Access and Utility Easement located on Lot 23 of The Bridge Creek Estates Subdivision. (tabled from 11/18/14) (Applicant: Michael Cloninger) (Planner: Frank W. Rives)

The Commissioners will hold a public hearing on the proposed closure and abandonment of an access and utility easement located on Lot 23 of The Bridge Creek Estates Subdivision.

Commissioner Geise stated that the public hearing is closed.

Commissioner Hunthausen moved to approve the closure and abandonment including the six conditions of approval, the finding of facts and the conclusion of law and the memo dated November 18, 2014 outlining the additional findings of fact, mm. and nn.

Commissioner Murray seconded the motion. Motion carried 3-0.

Public Hearing. Proposed Creation of a Public Access/Utility Easement to Provide Access to Lot 2 of the Wirth-Brown Subdivision Located on the Western Property Line of the Proposed Lot 23A of The Bridge Creek Estates Subdivision. (tabled from 11/18/14) (Applicant: Michael Cloninger) (Planner: Frank W. Rives)

The Commissioners will consider the proposed creation of a public access/utility easement to provide access to Lot 2 of the Wirth-Brown Subdivision located on the western property line of the proposed Lot 23A of the Bridge Creek Estates Subdivision.

Commissioner Geise stated that the public hearing is closed.

Commissioner Hunthausen moved to approve the creation of a public access/utility easement including the six conditions of approval, the finding of facts and the conclusion of law and the memo dated November 18, 2014 outlining the additional findings of fact, mm. and nn.

Commissioner Murray seconded the motion. Motion carried 3-0.

Public Hearing. Proposed Amended Plat of a Subdivision to be known as the Amended Plat of Lots 1 and 2 of the Wirth-Brown and Lot 23 of The Bridge Creek Estates Subdivision. (tabled from 11/18/14) (Applicant: Michael Cloninger) (Planner: Frank W. Rives)

The Commissioners will consider the proposed amended plat of Bridge Creek Estates and the Wirth-Brown Subdivisions located east of and adjacent to North Montana Ave and adjacent to and north of Ropers Loop. In addition, the Commissioners will receive any associated public comment related to the proposed Amended Plat.

Commissioner Geise stated that the public hearing is closed.

Commissioner Hunthausen moved to approve the creation amended plat including the six conditions of approval, the finding of facts and the conclusion of law and the memo dated November 18, 2014 outlining the additional findings of fact, mm. and nn.

Commissioner Murray seconded the motion. Motion carried 3-0.

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

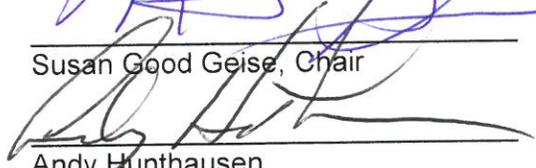
There being no further business, the meeting adjourned at 10:26 am.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



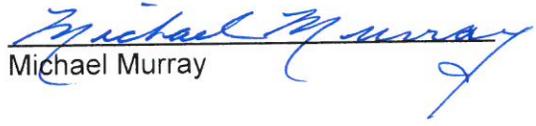
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Susan Good Geise, Chair



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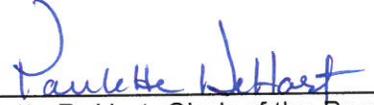
Andy Hunthausen



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Michael Murray

ATTEST:



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Paulette DeHart, Clerk of the Board