

**PUBLIC MEETING  
July 31, 2014  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, July 31, 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 and Commissioner Mike Murray were present. Others attending all or a portion of the meeting included Eric Bryson, Michelle Peterson-Cook, Katie Jerstad, George Theborge, Lindsay Morgan, Tony Prothero, Kyle Thomas, Audra Zacherl, Marni Bentley, Nancy Everson, Greg McNally, Larry Hoffman, Christal Ness, Al Knauber, Jack Walsh, Gary Flathers and Anne Todd, Recording Secretary.

Pledge of Allegiance. Everyone recited the pledge.

Consent Action Items. (Eric Bryson)

a. Vendor Claims Report for the Week of July 28, 2014. (Marni Bentley)

Eric Bryson recommended approval of the consent action item 2a.

No public comment was received.

Commissioner Murray moved approval of consent action item 2a..

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

Bid Opening – 2014 Fog Seal (Audra Zacherl)

Two bids were received:

1. Pavement Solutions, Inc - \$16,805
2. Helena Sand and Gravel, Inc. - \$13,069

Commissioner Hunthausen moved to authorize staff to take the bids under advisement and make a recommendation Tuesday, August 5, 2014 at the regularly scheduled meeting.

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

Bid Award – 11<sup>th</sup> Avenue Sidewalks, Project #STPE 5899(48). (Kyle Thomas)

The Commissioners will consider awarding the bid.

No public comment was received.

Commissioner Murray moved approval of the partnership with Valley Bank for funding the project along with funding from CTEP. Total amount was \$171,700.

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

Resolution No. 2014 Authorizing the Issuance of \$815,000 Principal Amount of Its Search and Rescue Facility Bond, Series 2014, to Finance the Construction of a Building to House Search and Rescue Equipment and Provide Meeting and Training Space; Fixing the Date, Form, Maturity, Terms and Covenants of Such Revenue Bond at a Variable Interest Rate; Providing



for the Registration and Authentication of Said Revenue Bond; Providing for the Collection, Handling and Disposition of Revenue; Creating Certain Funds and Accounts; Authorizing the Sale and Delivery of Said Revenue Bonds; and Providing for Other Matters Properly Related Hereto. (Nancy Everson)

The Commissioners will consider the Resolution.

Nancy Everson presented the bond recommending the approval as presented and authorized Chair to sign Resolution No. 2014-84.

Commissioner Hunthausen made a motion to approve this resolution for a period of 9 years since one year is already paid.

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

Request for Final Plat Approval - Lakeside Village on Hauser Lake Lot 2A Amended Subdivision. (Applicant: Merritt and Marie, LLC) (Planner: Greg McNally)

The Applicant is requesting final approval of the site plan adding a 5 unit recreational vehicle park to lot 2A of the Lakeside Village on Hauser Lake. The lot is located adjacent to York Road and Hauser Lake and is north of and adjacent to the Lakeside Bar and Restaurant.

The Commissioners will consider approval of final plat.

Greg McNally presented the application for final approval of Lakeside Village on Hauser Lake Lot 2A Amended Subdivision and stated the preliminary approval for this subdivision is for 6 recreational vehicles. Preliminary approval was granted on June 25, 2009 subject to 12 conditions of approval.

Discussion –

The Commissioners along with legal counsel and Greg McNally discussed the best way to have the applicants keep their rights and request final plat approval meeting all conditions. As a result of the discussion, it was recommended tabling this item to December 2<sup>nd</sup>.

Commissioner Hunthausen moved to table the final plat approval to December 2, 2014 to give the applicant time to meet all conditions. It was recommended to the applicant to immediately file an extension of preliminary approval. This plat was amended from 6 units to 5 units.

Commissioner Murray seconded the motion.

No public comment was received. The motion carried 3-0.

Independent Contractor Contract between Lewis and Clark County and the Helena Valley Mosquito District and JHS, Inc. (Larry Hoffman)

The Commissioners will consider the contract for adult mosquito CO/2 trap and RAMP operations beginning August 1, 2014 and completed no later than October 31, 2014 not to exceed \$5,500.

Larry Hoffman presented the contract for the adult mosquito CO/2 trap and RAMP operations stating the contract will oversee the testing and operation of the West Nile Disease. There will be five traps placed throughout the county with testing every 3 to 7 days.

No public comment was received.

Commissioner Murray moved to approve Independent Contractor Contract between Lewis and Clark County Helena Valley Mosquito District and JHS as presented.

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

Contract and Encroachment Agreement between the County of Lewis and Clark, Montana and Gary Hoovestal. (Christal Ness)

The Commissioners will consider the contract and encroachment agreement.

Christal Ness presented Encroachment Agreement Application from Gary Hoovestal with written comments regarding the county right of way located within the public road easement known as Green Meadow Drive.

No public comment was received.

Commissioner Hunthausen moved to deny Mr. Hoovestal's Encroachment Agreement.

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

Contract and Encroachment Agreement between Lewis and Clark County and William Tipton and Janet Koenig. (Christal Ness)

The Commissioners will consider the contract and encroachment agreement.

Christal Ness presented the Encroachment Agreement explaining the right of way and encroachments down on Leslie Avenue.

No public comment was received.

Commissioner Hunthausen moved to approve the Contract and Encroachment Agreement between Lewis and Clark County and William Tipton and Janet Koenig as presented.

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

Decision - Final Plat and SIA Southridge Estates Subdivision (a.k.a. York Meadows).

(Applicant: Southridge Properties, LLC) (Planner: Lindsay A. Morgan) The Applicant is requesting final approval of the 32-lot residential subdivision located north of and adjacent to York Road and east of and adjacent to Floweree Drive. The Applicant is also seeking to enter into a Subdivision Improvements Agreement (SIA) with Lewis and Clark County for remaining improvements.

The Commissioners will consider the final plat and SIA.

Lindsay Morgan stated the decision on the final plat and SIA for Southridge Estates Subdivision was tabled from July 29<sup>th</sup> when 15 of the 36 conditions had only been partially met. She stated when approved, 11 of the 15 conditions will be met. She said that legal counsel was ready to present the issue to the Montana Department of Transportation for signing of the plat. Lindsay Morgan also presented at the same time, Resolution 2014-89 to reference on the front of the plat the Department of Transportation's signature and asked the Commission to make a decision today.

Public Comment was received from Dick Weschenfelder who stated he is in favor of this resolution.

Commissioner Murray moved to approve Resolution 2014-89 restricting access onto Tizer Drive Extension to emergency vehicles only.

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

Commissioner Hunthausen moved to approve the Final Plat and the Subdivision Improvements Agreement for Southridge Estates Subdivision (a.k.a. York Meadows) as presented by Lindsay Morgan.

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

Decision - Alterations to the Approved Site Plan for Commercial Storage Units on Lot 85 of the Glacier Point Subdivision. (Applicant: Rick Bell) (Planner: Lindsay A. Morgan) The Applicant is requesting alterations to the approved site plan for commercial storage units on Lot 85 of the Glacier Point Subdivision located at 1494 Valley Speedway Drive. The proposed changes are specific to the landscaping, paving and signing aspects of the plan.

The Commissioners will make a decision on the request.

Lindsay Morgan stated that the decision is to only with regards to landscaping, parking and signing provisions.

No public comment was received.

Commissioner Murray moved the approval of the request for alteration to the commercial site plan for Lot 85 in the Glacier Point Subdivision.

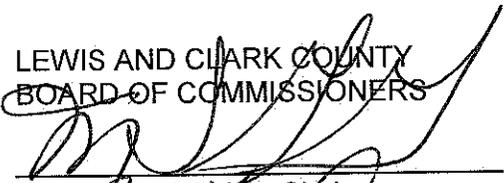
Commissioner Hunthausen seconded the motion. Motion carried 3-1.

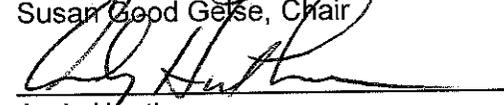
**Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.**

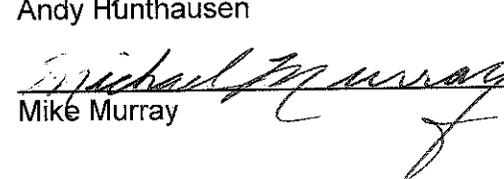
Christopher Shove presented an update on the Caird Engineering property, stating the removal of the contaminated soil went very well and the level of contamination was much lower than projected. The environmental cleanup will be completed by the end of August 2014. He also discussed the interest in the sale of the property.

There was no other business and the meeting adjourned at 10:35 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Susan Good Gelse, Chair

  
Andy Hunthausen

  
Mike Murray

ATTEST:

  
Paulette DeHart, Clerk of the Board