



PUBLIC MEETING

December 11, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, December 11, 2018, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Andy Hunthausen called the meeting to order at 9 a.m.

Commissioner Jim McCormick was present; Commissioner Susan Good Geise was out of office. Others attending all or a portion of the meeting included Roger Baltz, Peter Italiano, Kevin Wright, Tammy Potter, Greg McNally, Spencer Starke, Lindsay Morgan, Nicho Hash, Karie Frydenlund, Brett Wilcock, Carrol Wilcock, Tony Prothero, Laurie Mitchell DeLong, Pat DeLong, and Misty Edwards, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Public Meeting Minutes for August 17, 2017; February 22; November 1, 6, 13, and 22, 2018. (Nadine McCarty)
- b. Resolution 2012-112 Ordering a Refund of Taxes/Fees/Assessments Paid by Roger and Sharon Krebs in the Amount of \$233.98. (Karie Frydenlund)

Roger Baltz reported on consent action items 2 a-b and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Cooperative Law Enforcement Annual Operating Plan. (Kevin Wright)

Kevin Wright, Sheriff's Department Patrol Captain, presented the cooperative law enforcement annual operating plan with the US Forest Service. The annual plan is in the amount of \$13,500 and funds are to be used to perform patrol activities on Forest Service roads, campgrounds, developed sites and dispersed areas in the Helena and Lewis and Clark National Forests. The operating plan begins upon execution and ends December 31, 2019. Staff recommends approval.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Proposed Stonepipe Estates Major Subdivision and Variance Applications. (Applicant: Stonepipe Properties, LLC) (Planners: Greg McNally and Spencer Starke)

Greg McNally, Planner III, presented the proposed Stonepipe Estates Major Subdivision and subsequent variance applications. The proposed major subdivision is for an existing 20-acre tract of land that will be divided in 14 lots, each for one single-family dwelling. The lots will range in size from 1.37 acres to 1.55 acres. All lots will be served by individual wells, individual on-site wastewater treatment systems, and utilities. Direct access to the lots will be off of a proposed internal access road connecting Nordahl Drive and Pioneer Park Drive. The applicant has requested variances from the following subdivision regulations: Chapter XI.F.8; XI.H.3; and, XI.H.15. The applicant is proposing to pay cash-in-lieu of dedicating parkland.

The City/County Planning Board held a public meeting on November 20, 2018 and approved the proposed subdivision. The Planning Board recommended approval of the variance requests for the restriction of lot line angles. However, the Planning Board denied the variance requests for the requirement of the preliminary engineering report for road improvements and the requirement for two legal ingress/egress routes.

Staff recently received new information regarding the second legal ingress/egress route but have not had time to review it; therefore, they recommend the item be tabled so that they may review the new information.

PUBLIC COMMENT -

Brett and Carrol Wilcock, applicants, requested the item be tabled to December 18th. Ms. Wilcock subdivision is in line with the County Growth Policy and will increase the tax base. They believe there are no adverse impacts with this subdivision. Ms. Wilcock stated that they are requesting the variance request restricting lot line angles so that the pipeline does not go through someone's property. They are requesting a variance from the preliminary engineering report for road improvements as it would create an undue hardship on them as it is a very large expense without any beneficial information being provided. They feel an engineer's estimate should suffice for this requirement. They are requesting the variance from the second ingress/egress route because they were under the impression that public access could be provided via Pioneer Park. Ms. Wilcock stated that it was recommended to them by the County Attorney's Office that they proceed with the application and the variance request while the County determined the status of Ranger Road.

Mr. Wilcock stated they bought the property in good faith after consultation with the understanding there was a public access road. They purchased the property because they needed a lot to build on but they could also see the potential to subdivide the rest of the parcel to provide more home building lots in the county. They were told the process would take 14 months to complete but they are now 20 months into the process and would like to move forward.

A motion was made by Commissioner McCormick to table the item to the regular public meeting on December 18. The motion was seconded by Commissioner Hunthausen and passed 2-0.

Resolution 2018-113 Creating Zoning Regulations for Special Zoning District No. (East North Hills Planning and Zoning District) (Planners: Peter A. Italiano and Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented Resolution 2018-113 creating zoning regulations for special zoning district number 50. The regulations are to be known as the East North Hills Zoning Regulations and the purpose of the regulations is to implement the development pattern for the East North Hills consistent with the adopted East North Hills Neighborhood Plan and Development Pattern and the policy recommendations of the Lewis and Clark County Growth Policy and the Helena Valley Area Plan.

The Planning and Zoning Commission heard the item on November 23, 2018. Since that time, staff has received public comment from the lead petitioner on the item as well as a document with suggested changes that staff has not had the opportunity to review. Therefore, staff recommends tabling the item to allow for further review.

No public comment was received.

A motion was made by Commissioner McCormick to table the item to the December 27 public meeting. The motion was seconded by Commissioner Hunthausen and passed 2-0.

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

Adjourn

There being no further business, the meeting adjourned at 9:38 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair


Susan Good Geise, Vice Chair


Andy Hunthausen, Member

ATTEST:


Paulette DeHart, Clerk of the Board