



## **PUBLIC MEETING**

January 13, 2022  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, January 13, 2022, at 9:00 AM in Commission Chambers, Room 330.

### **Roll Call**

Chair Jim McCormick called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present; Commissioner Tom Rolfe was out of office. Others attending all or a portion of the meeting included Roger Baltz, Ann McCauley, Carrie Lutkehus, Jessica Makus, Worby McNamee, Lindsay Morgan, Chris Goodman, Matt Mudd, Charles Lane, and Misty Edwards, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

There were no consent action items.

### **Intercap Loan Application to the Montana Board of Investments. (Jessica Makus).**

Jessica Makus, Special Districts Program Coordinator, presented the Intercap loan application with the Montana Board of Investments. The loan is in the amount of \$79,278.57 and the proceeds are to be used to fund the road improvements within the Countryside Road Rural Improvement District (RID). This RID was created on October 21, 2021, with resolution 2021-94. Improvements include the addition of crushed top surfacing and pit run, drainage remediation, culvert installation, and the application of magnesium chloride. Benefited property owners within the Countryside RID will be assessed \$123.03 per year for a period of fifteen years until the debt is repaid. Resolution 2021-111 to levy and assess the Countryside RID was approved by the Commission on December 21, 2021.

Ms. Makus explained that applying for the loan will allow the improvement project to happen before the fees are assessed. The intent is to complete the project during summer 2022.

Staff recommends approval of the loan application.

No public comment was received.

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

**Request for American Rescue Plan Act Funds Minimum Allocation from the Craig County Water and Sewer District. (Carrie Lutkehus)**

Carrie Lutkehus, ARPA Program Specialist, presented the American Rescue Plan Act (ARPA) Minimum Allocation request from the Craig County Water-Sewer District in the amount of \$15,000. A technical memo was completed for the District in late 2021 but a full PER will provide additional information and engineering necessary for the District to make long-term plans for their wastewater system and infrastructure. This District has secured a Montana Coal Endowment (MCEP) Planning Grant that will be matched to this minimum allocation request. The ARPA eligible expenditure category is 5.5 Clean Water: Other Sewer Infrastructure.

Chris Goodman, Craig County Water-Sewer District Board President, explained what is currently happening with the wastewater system and the need for a PER to determine the issues and solutions for that system. Mr. Goodman gave a history of the system and explained how constructing the wastewater system has cleaned up the water supply. This PER will help finish the construction of the lift station on Barnes Lane thus eliminating the septic tanks that are still in use. Mr. Goodman also explained the technical memo that was recently completed.

Matt Mudd, Great West Engineering, has been working with the District to address the needs and issues of the wastewater system. The goal of the technical memo was to identify the issues and come up with budgetary numbers to solve those issues.

Staff recommends approval ARPA minimum allocation request.

No public comment was received.

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

**Zoning Variance Request from Special Zoning District No. 33. (Applicant: Ryan Burke) (Planner: Worby McNamee)**

Worby McNamee, Planner II, presented the Burke zoning variance request. The applicant has requested a variance from the R-2 regulations of Special Zone District Number 33 to allow the garage to remain in its current location. Specifically, the request is to allow for a reduction in the side-yard (east side) setback for an existing, detached garage. The property is located at 1110 Toucan Road.

The Planning and Zoning Commission held a public hearing regarding the requested variance on January 5, 2022. After considering the staff report and the presentation, the Planning and Zoning Commission recommended approval (5-0) of the request based on the findings of fact.

Those findings include that literal enforcement of the zoning regulations will result in an unnecessary hardship to the applicant and the variance is not contrary to the public interest. The applicants are new owners of the property and it was discovered that the garage does not meet the setback requirements under zoning. The garage was not built by the applicants and has been in existence for 38 years. Allowing the structure to remain in its current location will not affect the location of any existing development. Additionally, no written comments from adjacent property owners have been received regarding the requested variance.

Staff recommends approval of the variance request.

No public comment was received.

A motion was made by Commissioner Hunthausen to incorporate the Planning and Zoning Commission's recommendation into the record and to approve the variance request. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

**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 9:40 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

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Jim McCormick, Chair



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Tom Rolfe, Vice Chair



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Andy Hunthausen, Member

ATTEST:



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Amy Reeves, Clerk of the Board