



PUBLIC MEETING

October 23, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, October 23, 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 and Commissioner Susan Good Geise were present. Others attending all or a portion of the meeting included Roger Baltz, Jeni Garcin, Nicho Hash, Peter Italiano, Greg McNally, Connie Cole, Aaron Helfert, Jim Strachan, Ron Waterman, Greg Wirth, Michael Woodel, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Public Meeting Minutes for January 25; June 12; July 3, 31; September 27; October 4, 9, & 11, 2018. (Nadine McCarty)

Roger Baltz reported on the consent action item 2 a and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

Presentation on the Equity Fountain Project. (Ron Waterman)

Ron Waterman, 530 Hazelgreen Court gave a summary of a fountain project on Hill Park to express to the future the community's core values of equity, equality, diversity, respect, productivity, compassion, kindness, tolerance, service, peace and justice.

They have been working the project for over a year with a committee consisting of artistic individuals and others. A request for artists across the nation was conducted and thirty-five responses were received from all over the world, of which four have been chosen for further review and design submission. A budget was prepared of \$75,000 and given to the final four artists with the request that water be incorporated into the design. A permanent fund will be set aside for maintenance of the fountain. The designs were displayed at the Holter Museum for the public to view and vote on the designs.

The committee will make a final selection from the four designs on October 24, 2018 and present the decision at the City Commission meeting on November 5, 2018. The hope is to have the new fountain installed in June or July of 2019. They have been fundraising for the project and secured pledges of about \$70,000 has been raised thus far.

Resolution 2018-92 to Create the Wheat Ridge Estates, Phase III Rural Improvement District No. 2018-02. (Planner: Greg McNally)

Greg McNally, Planner III presented the resolution to create the Rural Improvement District (RID) for the preliminary conditionally approved Wheat Ridge Estates, Phase III Subdivision located south of and adjacent to Spokane Ranch Road and west of Spokane Creek Road. The proposed maintenance will include the internal roads within the Subdivision. The maintenance cost total is \$9,317.58 annually or \$227.26 annually per lot. A resolution to levy and assess will be brought forward once the lots are created and included in the Department of Revenue's books. Maintenance is for future chip seal at a seven year interval, snow plowing up to four times a year, sweeping once a year, and a crack seal once a year. Staff recommends approval of the resolution.

Mr. McNally stated the title of the resolution will need to be revised to state to create the RID, not levy and assess a tax.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Final Plat Application for the Wheat Ridge Estates, Phase III Subdivision. (Applicant: Aaron Helfert, Queen City Home Builders, Inc.) (Planner: Greg McNally)

Greg McNally, Planner III presented the final plat application for the Wheat Ridge Estates, Phase III Subdivision. Preliminary approval was granted on May 11, 2006 and subject to nineteen conditions of approval of which all have been satisfactorily met. The property is located south of and adjacent to Spokane Ranch Road and west of and adjacent to Spokane Creek Road. The initial stage of preliminary approval included Phases II and III for a total of 80 lots with 40 lots in each phase for one single-family dwelling. Final plat approval for Phase II was granted on June 11, 2007. Phase III includes 40 lots and an 81 acre lot. The final plat comes with a parkland dedication with a trail easement and cash in-lieu of payment in total of \$20,514.

Commissioner Good Geise asked if the no access condition listed in condition 6 requires signage or just present on the plat and Mr. McNally noted there is no signage onsite and has typically not been done, there is notification on the plat and an inclusion in the covenants.

Commissioner Hunthausen asked about condition 2 related to stormwater drainage plan and Mr. McNalley noted there is a sizeable stormwater pond located in the northeast corner of the development.

Commissioner McCormick asked about condition 16 regarding parkland and if the area remains fallow until an improvement plan is put forward and Mr. McNalley stated it will remain undeveloped until there is a plan. The area meets up with an existing easement provided with Phase II.

Greg Wirth, Staley Engineering represents Queen City Home Builders stated in 2006 the two 40 lot phases received preliminary plat approval with Phase II built in 2007 and the applicant had been pursuing extensions until now. There have been 19 conditions of approval that have been satisfied. The Department of Environmental Quality granted approval in 2006.

Phase III infrastructure was constructed this year and the roads were constructed to current Lewis and Clark County road standards. There is currently an active Stormwater Pollution Prevention

Plan (SWPPP) through DEQ and will be in effect until the applicant files a notice of termination. This is necessary any time bare soil is exposed and is for erosion control. There is also a county five-year weed plan. A pre-existing constructed fire protection system is in Phase II and supports Phase III, it was tested and certified this year. The access restriction to Spokane Ranch Road is denoted on the plat and when the lots are built they will be subject to an approach permit and an opportunity for the county to review then. The stormwater drainage project was under design when flooding was occurring in the spring and sediment was noted in the outlet of the culvert that goes under Spokane Ranch Road. County Public Works is aware and included it on their maintenance schedule. They concur with the staff report analysis and request approval of the final plat.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Board Appointments. (Roger Baltz)

Roger Baltz, Chief Administrative Officer presented the board appointments for the Airport Authority Board, Forestvale Cemetery Board, Forestvale Historice Preservation Committee, Lincoln Parks Board, Mental Health Local Advisory Committee, Open Lands Citizens Advisory Committee, and the Weed Board.

Staff recommends the following appointments: Mike Muscarelli to the Airport Authority Board to a term that expires September 1, 2021; Wendy Magera to the Forestvale Cemetery Board to a term that expires August 31, 2021; Peter Schaefer to the Forestvale Historic Preservation Committee to a term that expires August 31, 2020; Tricia Rummel to complete a remaining term that expires August 31, 2020; Ernest Lundberg to the Lincoln Parks Board to a second term that expires June 30, 2021; Annie Maixner to the Mental Health Local Advisory Committee to a term that expires June 30, 2022; Sarah Christopherson to the Open Lands Citizens Advisory Committee as an at large member to a term that expires June 30, 2021; Mike Bishop to the Open Lands Citizens Advisory Committee to serve at the pleasure of the Commission; Zachary Wirth to the Open Lands Advisory Committee to a term that expires June 30, 2021; and Mike Nordahl to the Weed Board as the Lincoln representative to a term that expires December 31, 2020.

PUBLIC COMMENT –

Connie Cole - 6040 Ferry Drive, Chair of the Open Lands Citizens Advisory Committee stated her appreciation for the community residents that step up to serve. Ms. Cole stated the name that was recommended to be on the committee will be attending the November meeting.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

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

Jim Strachan, 8187 York Road stated he is here to pursue the previous discussions and for his sister, everyone's kids and grandkids as well as his dog that was taken and killed by an axe to the back of her head about a year ago. Mr. Strachan notified the Sheriff's Office and after a day or two they told him a Montana Fish, Wildlife, and Parks employee had found the dog's body and determined death was of natural causes. The dog was returned to the Missouri River and later found by a friend of his daughter's. Mr. Strachan has discussed more than once that he believes there to be corruption that takes place on a federal, state and county level on a daily basis, but cannot get an investigation into his allegations and seems to just get the run around. He would like to have some accountability prior to the upcoming election so the citizens can be made aware of what is taking place within the offices that they are voting on.

Commissioner Good Geise discussed her previous meeting with Mr. Strachan and asked Mr. Strachan if he received the requested packet of information that was sent after their meeting. Mr. Strachan stated he received the packet and shortly after that he was harassed and stalked on multiple occasions with unbelievable allegations brought against him at the local gossip spots.

Commissioner Hunthausen asked Mr. Strachan to keep his comments related to county related that the Commissioners have jurisdiction over.

Mr. Strachan stated that is part of the process over the last 20 years he is shuffled from one agency to another and told that it is not their jurisdiction. Mr. Strachan asked if the law is violated in Lewis and Clark County does that make it the County's responsibility. Commissioner Hunthausen informed Mr. Strachan if a law is broken in the county and the Sheriff did not respond that can be looked into, but a federal or state problem there is no jurisdiction. Commissioner Hunthausen gave Mr. Strachan about five more minutes and requested that the remaining information he give to the Commission in writing and they can meet with him.

Commissioner McCormick asked for Mr. Strachan's top three specific issues within the county's jurisdiction with dates, times and the Commission can work on that.

Mr. Strachan stated he has a ton of documentation, but it has happened for such a length of time that it takes hours to go through it. Mr. Strachan gave examples that one agency or another led him to believe the issue was being investigated, he never hears anything and when he returns he is told the statute of limitations has run out, they cannot do anything, or they tell him it is not their jurisdiction.

Mr. Strachan asked to set up a meeting and he will bring in his notebooks with specifics. Mr. Strachan would like the County Commission to call for a resolution of a federal investigation. Commissioner Good Geise would like to set up a time to meet with Mr. Strachan and noted she can give him a couple of hours to go over his notebooks. Mr. Strachan would like to know what kind of timeframe to discuss and he will set up a meeting with Commissioner Good Geise. Commissioner Good Geise noted the more fresh the information the better chance of getting some sort of a resolution and asked Mr. Strachan to cover the last few years.

Mr. Strachan wanted to know when transparency and accountability would be made part of the record on how things went down no matter how many years ago and Commissioner McCormick noted that the conversation today is recorded and part of the public record.

Adjourn

There being no further business, the meeting adjourned at 10:00 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chair



Jim McCormick, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board