



PUBLIC MEETING

November 17, 2016

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, November 17, 2016, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Jim McCormick and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, K. Paul Stahl, Kevin Hamilton, Christal Ness, Mami Bentley, John Paul Allen, Ron Ingersoll, Al Knauber, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending November 18, 2016. (Mami Bentley)

Eric Bryson reported on the consent action item 2 a and recommended approval.

No public comment was received.

Request to Reopen a Segment of Lewis and Clark Pass Road. (tabled 11/19/15) (Applicant: Ron Ingersoll) (Planner: Christal Ness)

Christal Ness, Ombudsman, presented the request to reopen approximately a two mile segment of Lewis and Clark Pass Road to motorized traffic. The segment is located south and west of the North Fork of Green Creek. The applicant, Ron Ingersoll, is requesting the reopening and reestablishment of this segment of Lewis and Clark Pass Road in order to access his property, located in Sections 17, 18 and 19. The applicant's intent is to sell Section 19 to the US Forest Service. In order for this to occur, there needs to be insurable access to that section. The Forest Service is committed to purchasing conservation easement on Section 19 and has the funding available to complete the project. Ms. Ness stated that she and Mr. Bryson have met

with the applicant since the application was tabled in November 2015. There was discussion regarding utilizing a private easement to gain access to the land however, most of the land is covered by conservation easements and a private easement is not allowed in a conservation easement. The next alternative is to rescind Resolution 1993-117, which closed this particular portion of the Lewis and Clark Pass Road to motorized traffic. Ms. Ness stated the road is visible but it is a very primitive road. The landowners are in agreement to rescind Resolution 1993-117, making the road available for motorized traffic.

Commissioner Geise wanted to be sure that all interested parties were able to be included in the discussions and have their concerns addressed. Ms. Ness stated that Ron Ingersoll, Rob McDonough, Art Thompson, John Paul Allen, and Mike Mueller with Rocky Mountain Elk Foundation were all in attendance for both meetings in which all options were discussed. Some parties were concerned about the potential of trespassing onto private property once the road is reopened but that all parties understand that this is the only viable option for accessing Section 19.

Mr. Bryson stated that he believes if the sale goes through as planned, there will be an action to close that section again. But in order to facilitate the sale, the affected landowners agree that this is the best option as access from the west side is not viable. Mr. Bryson added that if the Commission chooses to rescind the resolution, it does not change the accessibility of that road. The road is primitive and virtually impassable in a vehicle and the County does not intend to improve or maintain that road.

PUBLIC COMMENT -

Ron Ingersoll thanked everyone for their patience and help. He believes that rescinding the resolution is the best answer.

John Paul Allen thanked all the efforts involved.

A motion was made by Commissioner Hunthausen to adopt the findings and conclusions as presented in the staff report. The motion was seconded by Commissioner Geise. The motion to adopt the findings and conclusions passed 2-0.

A motion was made by Commissioner Hunthausen to conditionally approve the request to rescind Resolution 1993-117 thereby establishing that segment of Lewis and Clark Pass Road for motorized traffic, located in Sections 17, 18 and 19 based on the approved and adopted findings and conclusions. The condition is that the applicant shall post signs noting private property. The motion was seconded by Commissioner Geise. The motion passed 2-0.


Commissioner Hunthausen and Commissioner Geise thanked all parties involved for working together to reach a resolution that was suitable to all.

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

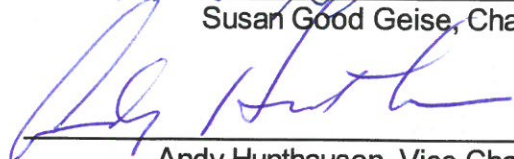
Adjourn

There being no further business, the meeting adjourned at 9:34 am

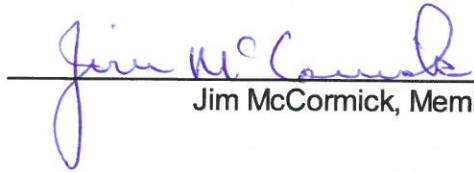
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

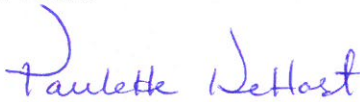


Andy Hunthausen, Vice Chair



Jim McCormick, Member

ATTEST:



Paulette DeHart, Clerk of the Board