



PUBLIC MEETING

November 3, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, November 3, 2016, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Mike Murray called the meeting to order at 9 a.m.

Commissioner Susan Good Geise and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, K. Paul Stahl, Jill Steeley, Paul Spengler, Jim Henry, Lindsay Morgan, Dean Retz, Keith Hatch, Joyce Evans, Jared Lay, Marni Bentley, Jim Mitchell, Dorothy Mitchell, Brian Coplin, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending November 4, 2016. (Marni Bentley)
- b. Public Meeting Minutes: September 15, 27, and September 29, 2016; and, October 4, 6, and 11, 2016. (Misty Edwards)

Eric Bryson reported on the consent action items 2 a-b and recommended approval. No public comment was received.

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

Agreement Between PureView Health Center and National Council For Behavioral Health. (Jill Steeley)

Jill Steeley, Executive Director, presented the contract between PureView Health Center and National Council for Behavioral Health to provide consulting services in the amount

of \$6,000. The contract period is October 13, 2016 through October 12, 2017. There are two other federally qualified health centers participating as well and they will each pay \$2,000.

No public comment was received.

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

Contract Between PureView Health Center and Blue Cross Blue Shield of Montana. (Jill Steeley)

Jill Steeley, Executive Director, presented the contract between PureView Health Center and Blue Cross Blue Shield of Montana to provide value based program services. This program recognizes patient centered medical home program providers, such as PureView, that have met or exceeded several standards. The value based payment system pays \$3.33 per member per month to receive quality care and preventative services. The contract period is September 23, 2016 through March 31, 2017.

Commissioner Good Geise asked how many Blue Cross Blue Shield patients are currently seen.

Ms. Steeley answered they currently see about 1,000 patients.

Commissioner Good Geise asked is the bonus payment predicated on utilization and referrals.

Ms. Steeley answered it's based on the quality of care, sending reminders, specialist referrals.

Commissioner Good Geise asked if there is a penalty if there is an over referral.

Ms. Steeley answered no.

Commissioner Murray asked if PureView will receive payment for Medicare patients that sign up for the Blue Cross Blue Shield portion.

Ms. Steeley answered that portion will be added to the agreement.

No public comment was received.

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

Grant Award to Lewis and Clark County from Montana Department of Military Affairs Disaster and Emergency Services Division. (Paul Spengler)

Paul Spengler, DES Coordinator, presented the grant award to Lewis and Clark County from the Montana Department of Military Affairs Disaster and Emergency Services Division in the amount of \$50,805 with a local match of \$50,805 for the emergency management performance grant. The contract period is October 1, 2016 through September 30, 2017. Staff recommends approval.

No public comment was received.

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

Grant Award with Montana Department of Military Affairs Disaster and Emergency Services Division. (Paul Spengler)

Paul Spengler presented the grant award with Montana Department of Military Affairs Disaster and Emergency Services Division for the 2016 Homeland Security Grant in the amount of \$75,723.00 with not match required. The grant is for the network cybersecurity file system project. The contract period is October 1, 2016 through September 30, 2017. No public comment was received.

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

Petition to Discontinue Portions of Trodick and Hudson Streets in Wolf Creek. (tabled from 10/11/16) (Planner: Jim Henry)

Jim Henry, Planner I, presented the petition to discontinue portions of Trodick and Hudson Streets within the amended Wolf Creek Townsite. Generally located between High Street and Main Street, and south of and adjacent to the Wolf Creek School. This item was tabled from October 11, 2016. Mr. Henry addressed the Fire Chief's concern regarding access to the church and some communication equipment. The discontinuances are not relevant to these concerns. The petition includes an updated vicinity map and proposed survey.

Commissioner Hunthausen asked if the utility easements are maintained in the proposal.

Mr. Henry answered yes per Montana Code Annotated 7-14-2617, discontinuance of road is not to affect utility easements.

PUBLIC COMMENT-

Jared Lay, land surveyor working for Michael Kopetski, read the letter from Mr. Kopetski at 430 Main Street, one of the property owners requesting the discontinuance of Trodick and Hudson Streets. Mr. Kopetski stated that his property has been in the family since the late 1930s and no one was aware that it extended onto county land. The discontinuance of these undeveloped streets would allow him to legally use the land.

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

Resolution 2016-94 Creating Zoning Regulations for Special Zoning District No. 49 (tabled 10/18/16) (Valley View Heights Planning and Zoning District) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the resolution to create zoning regulations for Special Zoning District No. 49, located north of and adjacent to Fantasy Road, east of and adjacent to Collins Drive, south of and adjacent to Snowdrift Road, and west of and adjacent to Ferry Drive. Also known as Valley View Heights Planning and Zoning District. The three part zoning process consists of establishing the creation of the boundaries, done through Resolution 2014-13 in January of 2014, adopt a neighborhood development plan, adopted through Resolution 2016-93 in October of 2016, and adopt regulations, currently under consideration. On October 5, 2016 The Planning and Zoning Commission recommended approval of the regulations as proposed by Staff. The proposed regulations include 10 acre minimum lots with cluster development of 5 acre minimums optional, six types of permitted uses, bulk standards, and no park land dedication is required.

Commissioner Good Geise asked how many neighborhood meetings were there.

Ms. Morgan answered there was one neighborhood meeting. A petition was received in 2013 with the appropriate number of property owner signatures, resulting in the creation of the district zoning boundaries. During that time a protest period was held as well. Also during an April public meeting comments from property owners were accepted and as a result changes were incorporated into the proposed plan and regulations.

Commissioner Good Geise asked what the number of attendees were at the neighborhood meeting.

Ms. Morgan answered the meeting was well attended. Staff proposed the 10 acre minimum with the cluster provision, in compliance with the growth policy, as there were different opinions on the lot size.

PUBLIC COMMENT -

Joyce Evans, 2276 Tea Road, read her previously submitted letter with regards to the Lorac subdivision, and understood it may not be appropriate for the meeting, but she considered it important to the issue at hand. She stated the multiple signatures on the letter, all requested the zoning. Ms Evans voiced her frustration how the first step of the zoning process was approved in January of 2014 and six months later, final approval would have occurred under the old

zoning. The new growth policy, finalized in March 2016, asked property owners to wait for approximately 2 1/2 years for the proposed zoning. She felt that zoning district No. 49 became the test case for the new county zoning plan and nearly three years later zoning is not approved. The Lorac subdivision request would have never happened if the zoning would have been approved in a timely matter. It was also noted that most attorneys spoken to agreed that district 49 should have been grandfathered in under the old zoning system due to the time of the initial zoning request. She stated everyone should have to follow the same rules.

Commissioner Good Geise asked Ms. Evans if the decision occurred within the 6 months, that the old growth policy would have controlled what happens here today.

Ms. Evans answered yes, if they were allowed to proceed under the old zoning regulations. But they were asked to wait, which they were all willing to do.

Dean Retz, 155 All Sports Ct., representing Mr. Utick. He stated Mr. Utick owns two other 20 acre parcels in the area, his daughter, and son do as well. Mr Utick has attended all of the meetings and is well aware of all that is happening in the area. He stated in 1976 Mr. Utick's father established the covenants listing 5 acre minimums and knows that further subdividing is not allowed.

Steve Tennant, 2376 Tea Road, stated at the time he bought his 20 acres, he could split it into 5 acre parcels, which is grandfathered in.

Commissioner Murray asked the Commissioners if they needed time to reflect on the additional testimony received.

Both Commissioner Hunthausen and Commissioner Good Geise agreed they have not heard anything new from previous testimony.

A motion was made by Commissioner Good Geise to approve Resolution 2016-94 creating zoning regulations for special zoning district no. 49 as outlined by staff. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Proposed Amended Plat of Lot 1A-1B of the Foster Ranch Tracts (Ranger Estates Subdivision) (Tabled 11/1/16) (Applicant: Jim Mitchell) (Planner: Lindsay Morgan)

Lindsay Morgan, Planner II, presented the subdivision and variance applications for proposed seven lot subdivision located north of Canyon Ferry Road and adjacent to Hines Road and Ranger Drive, known as Ranger Estates Subdivision. This was tabled from November 1, 2016, in which public comment remained open. She stated she did not receive any further public comment. Ms. Morgan responded to previous questions with regards to the decision outcome on the two variances at the Planning Board meeting. Variance No. 1, two ingress-egress roads required was denied 4 to 1, due to compromised safety if the subdivision was granted a variance from having to provide the two ways in and out. As well as no hardship based on topography. As far as Variance No. 2 the fire protection requirements. The applicant is planning to use the offsite protection system within Holmberg and to not have to create a Rural Improvement District (RID) for maintenance. The variance was approved 3 to 2. There were two opposition comments; 1) the criteria regarding the shape and topography would not be met by this property and 2) they were concerned that the Holmberg fire protection system already has the addition of Canyon Ridge subdivision and these additional lots would burden the system. PUBLIC Comment-

Tony Prothero, Shedhorn Engineering, responded to a previous question regarding whether Ranger Estates would have to contribute to the road maintenance within Holmberg. If Holmberg Village created an RID for road maintenance the boundaries could include Ranger Estates. Commissioner Hunthausen asked Mr. Prothero how much research has been done by himself and the applicant, as well as, has an attorney been contacted regarding the legal access status of Ranger Drive.

Mr. Prothero answered no attorney has been contacted. They have looked at the plats that define Ranger Drive and no further, other than a variance would have to be applied since "public" is not included.

Upon no further testimony or comment, Commissioner Murray stated that the public comment period is closed.

A motions was made by Commissioner Hunthausen to make a final decision on November 29, 2016. Motion was 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.

Adjourn

There being no further business, the meeting adjourned at 9:56 am.

LEWIS AND CLARK COUNTY

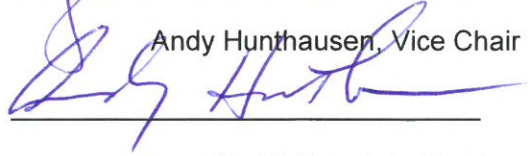
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

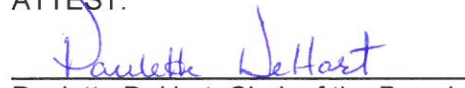


Andy Hunthausen, Vice Chair



Jim McCormick, Member

ATTEST:



Paulette DeHart, Clerk of the Board