



PUBLIC MEETING

December 4, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, December 4, 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, Nicho Hash, Peter Italiano, Greg McNally, Wade Marcus Wilkison, Jeni Garcin, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Proposed Preliminary Plat First Minor Subdivision to be known as Wilkison Vista Estate, (Tabled 11-27-18) (Applicant: Wade Marcus Wilkison) (Planner: Greg McNally)

Greg McNally, Planner III, presented the proposed preliminary plat first minor subdivision to be known as the Wilkison Vista Estate Subdivision. The item was tabled on November 27, 2018. If approved, the agricultural covenant affecting an existing 14.09 acre tract of land will be removed and the property will be allowed to be developed with a proposed single-family dwelling. A proposed boundary line adjustment with an adjacent property will reduce the existing 14.09 acre tract of land to 13.98 acres; however, the property will not be divided with this proposal. The lot will be served by an individual well, an individual on-site wastewater treatment system and utilities. Direct access to the lot will be off of South Hills Road. Because this is a first minor subdivision, there is no requirement for dedicated parkland.

Staff recommends conditional approval of the first minor subdivision application and staff also recommends the amendment to condition number 6. This amendment would make it clear that the restrictive covenants that are to be applied only include lot 1.

Wade Marcus Wilkison, applicant, 330 South Hills Road, stated he has received all of the reports and the conditions of approval.

No public comment was received.

A motion was made by Commissioner McCormick that after reviewing the staff report, the presentations by staff and the applicant, and the findings of fact and conclusions of law and approval conditions, and after considering public comment, the subdivision request be conditionally approved with conditions needed to mitigate adverse impacts to bring the project into compliance with regulations. The motion was seconded by Commissioner Good Geise.

Commissioner McCormick reviewed the Findings of Fact considering the four points related to the impacts on agriculture and agricultural water user facilities; impacts on local services to include the five points under water and wastewater findings, solid waste findings, mail delivery findings, utilities findings, roads and traffic findings, schools findings, emergency services findings, parkland findings; impacts on the natural environment to include findings on natural environment; impacts on wildlife and wildlife habitat to include the listed three points; impacts on public health and safety to include the four points listed; impacts on cultural resources with no historical or cultural resources visually identified; compliance with subdivision regulations; compliance with survey requirements; provision of adequate utilities; provision of adequate access; and zoning and other regulations.

Commissioner Good Geise noted two letters were received during public comment indicating they were not opposed to subdivision and were emphatic that only one house will be constructed on the property.

A motion was made by Commissioner McCormick that after reviewing the findings of fact on the impact criteria and subdivision regulations, the findings of fact be approved as submitted. The motion was seconded by Commissioner Good Geise. The motion passed 3-0.

A motion was made by Commissioner McCormick that after reviewing the adopted findings of fact, a conclusion of law be adopted that the proposed subdivision will have adverse impacts on the review criteria and will not be in compliance with regulations. Commissioner McCormick further moved to adopt a conclusion of law that adoption of the conditions of approval will mitigate the impacts and bring the project into compliance with the regulations. The motion was seconded by Commissioner Good Geise. The motion passed 3-0.

A motion was made by Commissioner McCormick to approve the conditions of approval as amended, including condition number 6. The motion was seconded by Commissioner Good Geise. The motion passed 3-0.

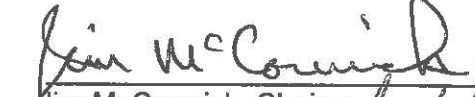
Commissioner Hunthausen stated that there is a motion on the floor to approve the subdivision, including the approved findings of fact, the conclusions of law and the conditions of approval. The motion passed 3-0.

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 9:24 am.

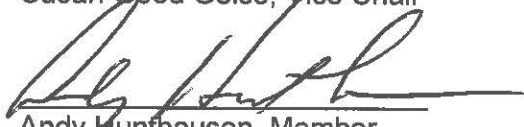
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Jim McCormick, Chair



Susan Good Geise, Vice Chair



Andy Munthausen, Member

ATTEST:



Paulette DeHart, Clerk of the Board