



PUBLIC MEETING

February 21, 2017
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, February 21, 2017, 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 Nancy Everson, Charles Lane, K. Paul Stahl, Eric Griffin, Leo Dutton, Jason Grimmis, Misty Edwards, Jim Henry, Greg McNally, Doug Nisbet, Brian Coplin, Chris Ries, Al Knauber, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2017-16 Declaring County Property Surplus Property. (Amy Reeves)

Nancy Everson, Interim CAO and Chief Financial Officer, 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 Hunthausen. The motion Passed on a 3-0 vote.

Resolution 2017-17 Setting Permanent Weight Limits On Specific Roads Under The Jurisdiction Of Lewis And Clark County For 2017. (Eric Griffin)

Eric Griffin, Public Works Director, presented Resolution 2017-17 setting permanent weight limits on specific roads under the jurisdiction of Lewis and Clark County for 2017. Mr. Griffin stated that permanent weight limits are required on roads that have substandard base material and are normally surfaced with a double shot chip seal. These roads will not withstand normal highway loads without experiencing constant repairs. The load limits are single axle 7 tons, tandem axle 14 tons, 350 pounds per inch width of tire. Mr. Griffin added that all trucks will be able to proceed on the road; it's the limitation of the load on the truck itself. Staff recommends approval.

No public comment was received.

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

Resolution 2017-18 Setting Seasonal Weight Limits On Specific Roads Under The Jurisdiction Of Lewis And Clark County For 2017. (Eric Griffin)

Eric Griffin, Director of Public Works, presented Resolution 2017-18 for seasonal weight limits on specific roads under the jurisdiction of Lewis and Clark County for 2017. Mr. Griffin stated that season weight limits are necessary as the frozen ground begins to thaw and base gravel becomes saturated in the late winter and early spring. The road's ability to carry fully loaded vehicles is reduced during these seasonal times. This resolution allows for the modification of weight limits in response to those climatic conditions to help prevent accidents and damage to property. The season is considered as February 1, 2017 through May 31, 2017 and the load limit is single axle 7 tons, tandem axle 14 tons, 350 pounds per inch width of tire. Staff recommends approval.

No public comment was received.

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

Memorandum of Understanding Between Lewis and Clark County and Missouri River Drug Task Force. (Leo Dutton)

Leo Dutton, Lewis and Clark County Sheriff, presented the Memorandum of Understanding (MOU) between Lewis and Clark County and the Missouri River Drug Task Force (MRDTF). The purpose of this MOU is to establish guidelines and operational procedures for a multi-agency task force to address drug related crime. This is a renewal of the Drug Task Force Memorandum of Understanding. The agreement period is July 1, 2017 through June 30, 2019. Sheriff Dutton stated that the participating counties include Lewis and Clark, Broadwater, Meagher, Gallatin, Madison, Park as well as the cities of Helena, Belgrade, Bozeman and West Yellowstone. The MRDTF will perform activities and duties to include disrupting illicit drug trafficking, gathering and reporting of intelligence data related to trafficking in narcotics and conduct undercover operations where appropriate. As part of this agreement, Lewis and Clark County supervises one Administrative Assistant for the program.

No public comment was received.

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

Contract Amendment No. 1 Between Lewis and Clark County and Drake Water Technologies, Inc. (Misty Edwards)

Misty Edwards, Budget Analyst, presented the contract amendment between Lewis and Clark County and Drake Water Technologies. The amendment is for additional engineering services needed for the Hooper Park Public Water Supply project and is in the amount of \$11,974. The original contract was for the review of the existing system, and engineering and design of the new water purification system. This amendment will cover the design and engineering from the water source to the system and from the system to the sewer line. Staff recommends approval.

No public comment was received.

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

Proposed Subdivision to be Known as the Amended Plat of Lot 16A-S – Western Hills Subdivision. (Applicant: Scott Emge) (Planner: Jim Henry)

Jim Henry, Planner I, presented the proposed subdivision to be known as Amended Plat of Lot 16A-S - Western Hills Subdivision. The applicant is proposing to reduce the platted building setback from 10 feet to 4 feet along the norther boundary of the parcel, due to a 6 foot encroachment of two accessory structures. The subject property is located at 5940 Green Meadow Drive, adjacent to the western side of Green Meadow Drive and south of the intersection of Sierra Road and Green Meadow Drive.

The applicant inherited the subject property from his father, who built two accessory buildings on it in 2005. The applicant would prefer to sell the property rather than keep it, however, after an encroachment survey was conducted several encroachments were discovered. Specifically, the survey revealed that the shop as well as the adjacent lean-to structure encroach 6 feet into the

10 foot side building setback. The applicant has found a buyer but the buyers lending institution will no finance the purchase of the property until the encroachments are rectified. The applicant has already amended the private covenants to reflect the proposed reduction of the building setback. There are no utilities within the setback and Mr. Henry emphasized this is a change in a setback in the covenants, not a change to a utility easement or right of way.

No public comment was received.

A motion was made by Commissioner McCormick to conditionally approve the subdivision request with conditions of approval needed to mitigate adverse impacts to bring the project into compliance with regulations. It was seconded by Commissioner Hunthausen.

A motion was made by Commissioner Hunthausen that after reviewing the findings of fact on the impact criteria and subdivision regulation requirement that the finding be approved as submitted. The motion was seconded by Commissioner McCormick. Commissioner Geise discussed the findings of fact including that the shop and adjacent lean-to structure do encroach into the setback; that the proposed amended plat does comply with all of the subdivision regulations; and, there are no utilities in the setback. The motion to approve the findings of fact was approved 3-0.

A motion was made by Commissioner Hunthausen to adopt a conclusion of law that the proposed Subdivision will not have adverse impacts on the review criteria and will not be in compliance with regulations but will be brought into compliance with the conditions of approval. The motion was seconded by Commissioner Geise. The motion passed 3-0.

A motion was made by Commissioner Hunthausen to approve the conditions of approval as submitted. The motion was seconded by Commissioner McCormick. Commissioner Hunthausen discussed the conditions of approval including that the final plat shall be prepared in accordance with applicable state survey requirements and the plat shall graphically show the reduction of the setback on the northern property boundary of Lot 16A-S, and prior to filing the final plat, the applicant shall provide documentation showing that the applicant is the lawful owner of the lot. The motion to approve the conditions of approval was approved 3-0.

The motion to approve to conditionally approve the subdivision passed 3-0.

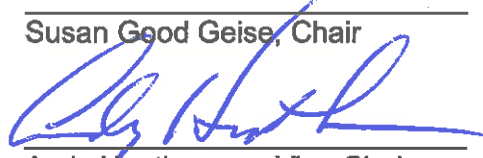
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

Adjourn

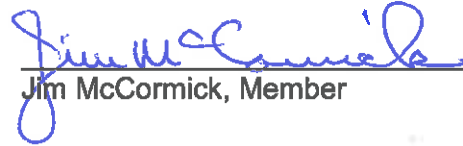
There being no further business, the meeting adjourned at 9:39 am.

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