



PUBLIC MEETING

March 17, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, March 17, 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, Michele Peterson-Cook, K. Paul Stahl, Kevin Hamilton, Greg McNally, Eric Gilbertson, Roger Smith, Jack Walsh, Randi Rognlie, Mike Fasbender, Al Knauber, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Grant Application to the MTDES Homeland Security. (Roger Smith)

Roger Smith, Statewide Administrator of the Microwave Network System, presented the grant application to MTDES Homeland Security for the FFY16 Homeland Security Grant Award in the amount of \$162,350 to fund salary and travel costs of the Microwave Network Manager position. The grant period begins October 1, 2016 through August 31, 2019.

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 Application to the MTDES Homeland Security. (Eric Gilbertson)

Eric Gilbertson, Captain of Patrol Division, presented the grant application to MTDES Homeland Security for the FFY16 Homeland Security Grant Award in the amount of \$30,000 to provide training for bomb technicians.

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.

Request for Preliminary Approval for the Proposed Fasbender Minor Subdivision and the Variance Requests. (Applicant: Mike Fasbender) (Planner: Greg McNally)

Greg McNally, Planner II, presented the proposed 3-lot Subdivision located north of and adjacent to Munger Road, and west of and adjacent to Buoy Boulevard. The applicant proposes to divide 22.44

acres of land into 3 lots. The proposed Lot 6A will be offered as common space for the Homeowners Association and will include an existing multi-user wastewater treatment system serving Lots 1-5 of the Waterski Mania Estates Minor Subdivision, an existing man-made lake, an existing well for the lake, a dock, a parking lot, and a proposed dry hydrant for fire protection. Proposed Lots 6B and 6C will each be used for one single-family dwelling with individual wells and on-site wastewater treatment systems. The Subdivision Application only involves 22.44 acres and the remaining acreage will consist of a parcel to be created for agricultural purposes with the use of an approved exemption from the Subdivision and Platting Act. There are no known covenants that apply to the property. The applicant has submitted draft covenants for Water Ski Mania Estates and intends to deed the lot to the HOA where a new set of covenants and byways will be agreed to and signed by all members prior to the exchange. Mr. McNally addressed the project issues that address fire protection as in compliance with the Subdivision Regulations, the applicant is proposing to install a dry hydrant to draw water from the man-made lake on Lot 6A. The dry hydrant will be accessible year round via an easement from Buoy Boulevard. Maintenance of the fire protection system will be provided by an RID. The next project issue addressed was the non-residential Lot (Lot 6A) as the proposed lot includes the following uses: an existing man-made lake; the community wastewater treatment drainfield for the Water Ski Mania Estates, parking lot, boat dock and a boat ramp. The applicant proposes to add a 20-foot wide fire and private access easement connecting the lake and proposed fire protection dry hydrant to Buoy Boulevard. An additional 20-foot wide maintenance easement from the high water mark for the man-made lake is proposed and the proposed lot will not be served by water or wastewater improvements. The applicant has requested three variances from the Subdivision Regulations. The first variance request is from Chapter XI.F.1 in regards to a satisfactory building site as proposed Lot 6A includes the following uses: an existing man-made lake; the community wastewater treatment drainfield for the Water Ski Mania Estates, parking lot, boat dock and boat ramp. As proposed the lot does not have adequate space for a suitable building site. The applicant intends to transfer ownership of the proposed lot to a Homeowners Association upon approval of the final plat. In addition, the groundwater is high in this area making it difficult to site another wastewater treatment system. The second variance request is from Chapter XI.F.7 in regards to the 3:1 lot length to width ratio. Proposed Lot 6A consists primarily of a man-made waterski lake that is bordered by another waterski lake on the west and the Waterski Mania Subdivision on the east. These geographic constraints prevent the proposed lot from meeting the 3:1 or less ratio required by the County Subdivision Regulations. The third variance is from Chapter XI.H.11, Appendix J.3.3 in regards to dead end road length. The roads that provide access to the proposed lots are pre-existing dead-end roads that already exceed the maximum length of 700 feet by 1,330 feet. Munger Road becomes a dead-end road as it proceeds east past Red Top Lane. Residents will have to travel on 2,030 feet of dead-end road to get to proposed Lot 6B and an additional 1,575 feet on Buoy Boulevard to reach a cul-de-sac. Existing improvements (man-made lakes), lot configurations, high groundwater, Ten Mile Creek, and an HVID lateral make it difficult to reduce or eliminate a dead-end road. County Public Works commented that a hammerhead-T turn around or a cul-de-sac be required and requested a three point turnaround for emergency vehicles at the dead end road.

Commissioner Hunthausen asked Mr. McNally about the possibility of the parking lot or Munger and Buoy roads allowing for a turnaround opportunity.

Greg McNally stated the parking lot could provide the opportunity if the lot was free and open with a designated area for emergency vehicles to turn around in.

Randi Rognlie, Casne and Associates, stated there are no particular issues with the conditions proposed but asked for a revision on condition number two that requires a professional engineer to design the stormwater plans.

Commissioner Geise asked how deep the lake is.

Mike Fasbender, 3930 Buoy Boulevard, stated the lake depth varies and is deep by the dock end and in the north end it ranges from 12-14 feet in depth.

Commissioner Geise asked about the dry hydrant and noted concerns if the lake is not very deep and issues that may occur with the hydrant potentially being clogged. She asked if there was a plan in place to ensure the hydrant would not get clogged.

Mike Fasbender stated the water tends to get muddy and therefore do not see algae problems.

Commissioner Geise asked the applicant if he feels confident that the turnarounds have been adequately addressed.

Mike Fasbender stated there will be a few opportunities for a turnaround such as the parking lot and there is a lot to the north that could provide for a turnaround.

Commissioner Hunthausen asked about the dry hydrant and potential freezing issues during the winter.

Mike Fasbender stated the hydrant is designed to be closer to the bottom of the lake and water is pumped into the lake all winter to prevent the lake from forming ice. He does not feel there will be any issues.

Commissioner Hunthausen asked for an explanation on how the relationship between the fire hydrant and maintenance will work.

Mike Fasbender stated the maintenance would be through an RID however his preference would be to have the HOA own and maintain it.

There was no public comment received.

A motion was made by Commissioner Hunthausen to table the item until March 22, 2016 at the regularly scheduled meeting and seconded by Commissioner 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

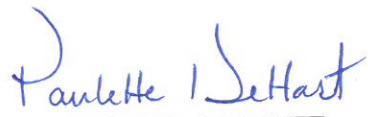
There being no further business, the meeting adjourned at 9:32 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman


Susan Good Geise, Vice Chair


Andy Hunthausen, Member

ATTEST: 
Paulette DeHart, Clerk of the Board