



PUBLIC MEETING

May 26, 2015
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, May 26, 2015, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Andy Hunthausen called the meeting to order at 9 a.m.

Commissioner Susan Good Geise was present. Commissioner Mike Murray was excused on personal business. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Matt Heimel, Lindsay Morgan, Greg McNally, Nancy Everson, Laura Erikson, Cheryl Green, Jay Nelson, Tracie Kiesel, Jayson Zander, Tobie Ohlin, Karin Ohlin, Joe Norcross, Teha Hatfield, Barbara Wetherill, Sandra Hilderman, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Public Meeting Minutes: May 5, 7, 12, 19 and 21, 2015. (Nichole Nisbet)
- b. Resolution 2015-66 Declaring County Property Surplus Property. (Amy Reeves)

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 2-0 vote.

Resolution 2015-65 Approving the Tax Benefits Application of Stone Tree Climbing Center, LLC for Remodeling of an Existing Commercial Structure Located at 1222 Bozeman Avenue in the City of Helena. (Nancy Everson)

Nancy Everson, Finance Director, presented resolution 2015-65 approving the tax benefits application of Stone Tree Climbing Center for remodeling of an existing commercial structure. Under the state statute applicants who add an existing building or structure to increase the taxable value by at least 2.5% may qualify for the abatement. If approved, the property taxes are phased in over five years at 20% each year. The Department of Revenue will determine the new taxable value however it is estimated at \$300,000, exceeding the 2.5%. If the improvements exceed 2.5% then the property tax will be abated over a period of five years, if it exceeds 5% then the property tax is exempt for five years and then phased in at 20% for the next five years. The City of Helena approved the resolution on May 19, 2015.

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 2-0 vote.

Resolution 2015-67 Ordering the Cancellation of Personal Property Taxes That Have Been Delinquent for 5 Years. (Cheryl Green)

Cheryl Green, Delinquent Tax Supervisor, presented resolution 2015-67, ordering the cancellation of personal property taxes that have been delinquent for 5 years. The resolution is for mobile home taxes from 2009 in the amount of \$4,302.28 and for personal property from 2009, totaling \$167.78 which they have not been able to collect. A lot of the property has been abandoned and is unrecoverable or noncollectable. In five years you can remove personal property which includes mobile homes and is noncollectable.

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 2-0 vote.

Resolution 2015-68 Ordering the Cancellation of Real Property Taxes That Have Been Delinquent for 10 Years or More. (Cheryl Green)

Cheryl Green, Delinquent Tax Supervisor, presented resolution 2015-68, ordering the cancellation of personal property taxes that have been delinquent for 10 years or more. The request is to write off \$2,954.33 from the tax year of 2004. 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 2-0 vote.

Resolution 2015-70 A Resolution Levying and Assessing a Tax Upon All Benefited Property Within the Hillview Rural Improvement District No. 2015-2. (Matt Heimel)

Matt Heimel, Special Districts Planner, presented resolution 2015-70 levying and assessing a tax upon all benefited property within the Hillview Rural Improvement District. The resolution creating the district was adopted on April 21, 2015. A 10-day protest period has closed, with no protests received. A debt service assessment for road improvements shall be levied for a period of ten years in the amount of \$237.55 per parcel per year and to levy a perpetual maintenance assessment of \$100 per parcel per year.

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 2-0 vote.

Resolution 2015-71 A Resolution Levying and Assessing a Tax Upon All Benefited Property Within the Big Valley-Cabin Road Rural Improvement District No. 2015-2. (Matt Heimel)

Matt Heimel, Special Districts Planner, presented Resolution 2015-71 levying and assessing a tax upon all benefited property within the Big Valley-Cabin Road Rural Improvement. The resolution creating the district was adopted on April 21, 2015. A 10-day protest period has closed, with no protests received. A debt service assessment for road improvements shall be levied for a period of seven years and to levy a perpetual maintenance assessment in the amount of \$100 per parcel per year.

Karin Ohlin, 521 West Cabin, expressed her support for the RID.

PUBLIC COMMENT-

Joe Norcross, property owner in the RID boundary, stated that he owns property in the district and does not use the road and feels he should not have to pay the tax.

Teha Hatfield, lives on Diamond Springs Drive, asked for clarification on what the RID means for those who live on that road. Matt Heimel stated that the improvements on Diamond Springs Drive are terminated at the north bus turnaround include a 6" select base, 3" base aggregate and installation of

cross drain culverts for 2, 523 feet of this road. Maintenance will include snow plowing, grading and culvert cleaning on this stretch of road.

Commissioner Hunthausen asked Matt Heimel to speak with Mr. Norcross and Ms. Hatfield to answer their questions.

A motion was made by Commissioner Geise to table the item until the next regularly scheduled meeting on May 28, 2015 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Resolution 2015-69 A Resolution Levying and Assessing a Tax Upon All Benefited Property Within the Bridge Creek Rural Improvement District No. 2015-4. (Matt Heimel)

Matt Heimel, Special Districts Planner, presented resolution 2015-69 levying and assessing a tax upon all benefiting property within the Bridge Creek Rural Improvement District. The resolution creating the district was adopted on April 21, 2015. A 10-day protest period has closed, with no protests received. A debt service assessment for road improvements shall be levied for a period of ten years in the amount of \$93.72 per parcel per year and to levy a perpetual maintenance assessment of \$145.38 per parcel per year.

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 2-0 vote.

Contract Amendment No. 1 between Lewis & Clark County and Trihydro Corporation (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented the contract amendment No. 1 between Lewis & Clark County and Trihydro Corporation extending the time of performance to September 30, 2015 and increasing the compensation from \$7,908.56 to \$19,456.14 for additional services to be provided which includes analysis of the data and remediation alternatives.

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 2-0 vote.

Request to Proceed with Modification Process for Canyon Ferry Crossing Subdivision V. (Applicant: Canyon Ferry Crossing Inc.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the request for permission to submit proposed modifications to the preliminary approval of Canyon Ferry Crossing Subdivision V. The applicant is requesting to proceed with a request to modify the conditions of approval for the preliminarily approved subdivision. The applicant is seeking permission to propose modifications to the following conditions: 1. Condition No. 7e regarding the requirement to create a Rural Improvement District for maintenance of the fire protection system. 2. Condition No. 10 regarding the requirement to create a Rural Improvement District for maintenance of the roads. 3. Condition No. 11a regarding the requirement to make a cash payment in-lieu of the dedicating parkland and 4. Condition 19xiii regarding the requirement to install phone utilities to all residential lots. The subdivision was granted preliminary approval on November 6, 2008. The subject property is located northwest of and adjacent to Magpie Gulch Road, and east of and adjacent to Sunset Ridge Drive, and is 164.36 acres in size. The preliminarily approved subdivision will create eighteen residential lots and one lot for a wildlife corridor, and each lot will be served by an individual well, an individual wastewater treatment system, and utilities. Access to the lots will be off of one of two internal access roads via either Magpie Gulch Road or Sunset Ridge Drive.

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 2-0 vote.

Proposed Cattle Baron Estates Subdivision. (Applicant: Varyn Land & Livestock, LLC) (Planner: Greg McNally)

Greg McNally, Planner II, presented the proposed five lot subdivision to be known as Cattle Baron Estates Subdivision. The applicant is requesting to table the hearing until June 4, 2015 and would like to request an extension of the review period until July 7, 2015.

No public comment was received.

A motion was made by Commissioner Geise to extend the application review period until July 7, 2015 and to table the item until the regularly scheduled meeting on June 4, 2015 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Second Reading Lewis & Clark County Fireworks Ordinance Number 2015-1. (Eric Bryson)

Eric Bryson, CAO, presented the Lewis & Clark County Fireworks Ordinance Number 2015-1. The second reading of the ordinance includes the changes and recommendations from the Lincoln Community and the Sheriff's Office. The suggested changes include the time frames in which fireworks are allowed to be used. The parameters remain the same from the first reading that requires Hooper Park to sign and designate the area and allows for the Sheriff's Office to enforce the ordinance. The ordinance applies to all County parks that choose to designated and sign the authorized use of fireworks.

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 2-0 vote.

The Lewis & Clark County DUI Task Force Steering Committee Annual Plan. (Jay Nelson)

Jay Nelson, Chairman of the DUI Task Force Steering Committee presented Jayson Zander, Vice-Chair and Tracie Kiesel, Secretary. Jay Nelson, presented the annual plan of the DUI Task Force to the Commission and the highlights of their report which include that the US average for blood alcohol concentration (BAC) is 0.34, our average is 0.76. The Task Force's main focus is not only on the reduction of DUI's but also the increase of seat belt usage in our County. Other key points include the increase of DUI arrests in L&C County and the task force believes there is a correlation to their work and outreach to the increase of those numbers. In fatal and serious injury crashes, males outweigh females in the number of crashes. The age group of 36-65 is the highest number of severe and fatal alcohol and drug related crashes and ages 21-35 being the second highest age group. The education and enforcement has begun to make a difference in the younger age groups. A decrease in the number of minor in possession citations has also begun. A survey amongst 8th, 10th and 12th graders in the County shows a decrease from 2010 and 2014 to drinking and driving. There are issues with binge drinking along with drug and narcotic use in those grades. The annual plan details their objectives, strategies and their proposed budget for FY 16. The annual summit held recently provided great traction for the Task Force and gave them a clear direction and mission.

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 2-0 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 10:10 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

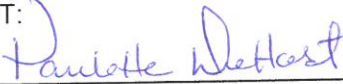
Andy Hunthausen, Chairman



Michael Murray, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board