



PUBLIC MEETING

May 5, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, May 5, 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 was present. Commissioner Andy Hunthausen was excused on personal business. Others attending all or a portion of the meeting included Nancy Everson, Michele Peterson-Cook, K. Paul Stahl, Audrey Dufrechou, Marni Bentley, Eric Griffin, George Theborge, Shana Olds, Dean Retz, Robert Utick, Paulette DeHart, Christal Ness, Lindsay Morgan, Tony Prothero, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending May 6, 2016. (Marni Bentley)
- b. Resolution 2016-25 Ordering a Refund of Taxes/Fees/Assessments Paid by David & Wendy Duensing in the Amount of \$7,609.49. (Karie Frydenlund)

Nancy Everson reported on the consent action items 2a-b and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Contract Between Lewis and Clark County and Benefis Spectrum Medical, Inc. (tabled 4/5/16) (Laurel Bulson)

Nancy Everson presented the contract with Benefis Spectrum Medical in the amount of \$256,985 to provide professional medical services to Lewis and Clark County inmates. Staff recommends tabling the item for two weeks to allow staff to continue their research.

No public comment was received.

A motion was made by Commissioner Geise to table the item until May 19, 2016 and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

2016 Special Purpose District Elections. (Audrey Dufrechou)

Audrey Dufrechou, Elections Administrator, presented the 2016 Special Purpose Districts Elections and recommended declaring candidates for special purpose districts elected by acclamation or appointed to vacancies on special purpose district boards and commissions.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Resolution 2016-21 Appointing Election Judges for 2016-2018. (Audrey Dufrechou)

Audrey Dufrechou, Elections Administrator, presented resolution 2016-21 appointing Election Judges for 2016-2018. Election judges are to be appointed from lists of qualified registered electors and are appointed election judges for the period from May 5, 2016 to May 5, 2018.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Resolution 2016-22 Designating Polling Places in Lewis and Clark County. (Audrey Dufrechou)

Audrey Dufrechou, Elections Administrator, presented resolution 2016-22 designating polling places in Lewis and Clark County. The Commission must designate polling places for each precinct no later than 30 days prior to the primary election.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Resolution 2016-24 Appointing Post-Election Audit Committee. (Audrey Dufrechou)

Audrey Dufrechou, Elections Administrator, presented resolution 2016-24 appointing six County employees to the post-election audit committee for the June 7, 2016 Primary Election. The County uses tabulators to tally the votes and the committee is used to verify that the tabulators are calculating the correct votes.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Encroachment Agreement Between Lewis and Clark County and Bret and Trisha Bodlovic. (Christal Ness)

Christal Ness, Ombudsperson, presented the encroachment agreement for a permanent dog kennel encroaching into a utility easement, created for the Amended Plat of Lot A-1, Rosemary Acres Subdivision, located at 7230 Rosemary Drive. The permanent dog kennel has a six inch concrete pad and encroaches into the easement 8.5 feet. It was noted that the current renters of the property are in a buy-sell agreement and the concrete pad was installed five years ago by the current owner.

PUBLIC COMMENT-

Trisha Bodlovic, 7230 Rosemary Drive, stated there are no utilities in the easement and reiterated that the current owner of the home installed the concrete pad.

Commissioner Geise asked if the applicant or owner would move the concrete if the Commission denied the request.

Trisha Bodlovic stated they would remove the concrete if necessary and noted that they have held their closing off to take care of the issue.

Commissioner Murray asked the applicant when the closing was scheduled for.

Trisha Bodlovic stated the closing was scheduled for May 13, 2016.

A motion was made by Commissioner Geise to table the item until the regularly scheduled meeting on May 10, 2016 and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Off-site Road Improvements Request for JAMVAR Subdivision. (tabled 4/28/16) (Applicant: Bob Utick) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the off-site road improvements request for JAMVAR Subdivision. The applicant is proposing to complete the road improvements himself rather than paying the exaction fee as required by County Subdivision Regulations. The applicant is seeking permission to use the money to complete improvements to Fantasy Drive. The applicant has submitted engineered road plans for improvements from Fantasy Drive to Collins to the side of the proposed internal access road. The Director of Public Works, Eric Griffin is in agreement with the road plans as long as the engineer certifies the road improvements. The applicant has also agreed to provide an engineer certification for the completed road improvements. Staff has not been able to determine the amount of the off-site road exaction and whether or not the cost of improving this section of Fantasy Road would be less than, equal to, or more than the amount of the exaction. Ms. Morgan proposed the options before the Commission being, approval of the request as proposed by the applicant, which now includes the engineered plans the applicant submitted and the engineer's certification of the road improvements. The second option is to approve the item as presented with the addition of a condition that would require the applicant to pay if there was a monetary difference between the amount of the exaction and the cost of complementing the improvements if the amount of the exaction is greater than the cost of the improvements. The third option is to deny the request.

PUBLIC COMMENT-

Bob Utick, the applicant, stated in the interest of working with the County he submitted the plans and he noted he would like to ensure the road gets improved and rereviewed his proposal to the Commission.

Commissioner Geise clarified with the applicant the options and asked what his preference would be.

Bob Utick stated he would like to do the improvements to Fantasy Road to Collins along the internal road network along with submission of the road plans that would be certified by an engineer upon completion. He noted his objection to the option of having to pay if there is a monetary difference.

Eric Griffin, Public Works Director, stated his appreciation of the applicant wanting to work with County and is ready to move forward based upon reviewing the road plans.

A motion was made by Commissioner Geise to approve the request as proposed by the applicant, which includes the engineered plans the applicant submitted and the engineer's certification of the road improvements and seconded by Commissioner Murray. The motion Passed on a 2-0 vote.

Board Appointment. (Eric Bryson)

Nancy Everson presented the Lincoln Solid Waste Board appointment and recommended the appointment of Bob Frank- Plumlee to the Lincoln Solid Waste Board to complete the 3-year term that expires on 6/30/18.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray.
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.

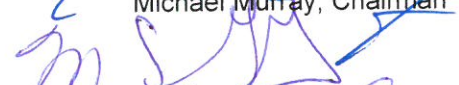
Adjourn

There being no further business, the meeting adjourned at 9:47 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