



PUBLIC MEETING

May 8, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, May 8, 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, Dax Cetraro, Nicho Hash, Peter Italiano, Christian Lehnert, Jennifer McBroom, Lindsay Morgan, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Grant Award to Lewis and Clark County Weed District from the Montana Department of Agriculture Noxious Weed Trust Fund for the 2017 Fire Mitigation. (Christian Lehnert)

Christian Lehnert, Weed District Coordinator, presented the grant award from the Montana Department of Agriculture Noxious Weed Trust Fund for the 2017 Wildfire Mitigation. During the 2017 wildfire season, there were six noted fires over approximately 48,435 acres of public and private land. The grant is to help manage noxious weeds by spraying herbicides on 768 acres of private lands affecting 11 plus landowners. Monitoring and management will occur on all burned acres, fire camp areas, and any fire line disturbances and landing areas with the use of herbicides. The total funds are \$12,500 with matching funds of \$12,500 for a total amount of \$25,000 and a 50/50 cost share with private landowners. Staff recommends approval.

Mr. Lehnert has a list of the landowners wanting to participate and believes many of them were affected by the fires. Mr. Lehnert explained that the landowners apply for the grant with assistance from the Weed District. The Forest Service will participate as well.

No public comment was received.

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

Grant Award to Lewis and Clark County Weed District from the Montana Department of Agriculture Noxious Weed Trust Fund for the Lincoln Vegetation Project Phase 1. (Christian Lehnert)

Christian Lehnert, Weed District Coordinator, presented the grant award from the Montana Department of Agriculture Noxious Weed Trust Fund for the Lincoln Vegetation Project Phase 1 in Lincoln. The purpose is to help reduce noxious weed infestations and reduce the amount of disturbance within the project areas of Keep Cool, Cooper Creek, Dalton, Humbug and Lincoln. The funds will help support noxious weed management on 659 acres of private land affecting up to 50 landowners. Monitoring and management will occur in areas where vehicle, timber, wildlife, recreational and livestock disturbances have happened. The grant funds are \$19,400 with matching funds of \$19,400 for a total of \$38,800 and a 50/50 cost share with private landowners. Staff recommends approval.

Commissioner Good Geise asked if the Ponderosa Snowmobilers are collaborating with the Weed District on this project. Mr. Lehnert plans on meeting with all the individuals of the grant.

No public comment was received.

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

Amendment Number 1 Between Lewis and Clark County and the Department of Natural Resources and Conservation. (Jennifer McBroom)

Jennifer McBroom, Water Quality District Watershed and Community Outreach Coordinator presented the amendment to the grant agreement with the Department of Natural Resources and Conservation (DNRC) for the Grizzly Placer Mine Reclamation Project. The amendment extends the terms of the contract through September 30, 2019. The original grant had an end date of May 30, 2018 and with the long winter and short turn around no Requests for Proposals (RFP) were received. The extension allowed another RFP to be sent out and two proposals were received. The vetting process will occur, a consultant will be chosen and they will have a project completion date of June 2019. The consultant will develop a reclamation plan and apply for additional funding in the next biennium from DNRC for the implementation phase. Because of the extension they will not be able to apply until 2021 biennium for the implementation phase.

Staff recommends approval.

No public comment was received.

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

Contract Between Lewis and Clark County and NorthWestern Energy. (Jennifer McBroom)

Jennifer McBroom, Water Quality District Watershed Coordinator presented the contract with NorthWestern Energy in the amount of \$5,000 for administering the Prickly Pear Creek Re-

Water project in 2018. The contract period is June 1, 2018 through December 31, 2018. The total funding to administer the project is \$15,220.

Ms. McBroom gave a brief overview on the re-watering project. A result of this project is that the fisheries have increased over 100 percent on both the brown and rainbow trout.

No public comment was received.

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

Permission Request to go through Modification Process for Holter Lake Lodge Subdivision (Applicant: Backdoor Mountain, L.L.C.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the request for permission to go through the modification process to amend Condition No. 15 of the preliminarily approved Holter Lake Lodge Subdivision, located at 1348 Beartooth Road, adjacent to Holter Lake.

The Subdivision was granted preliminary approval under a Settlement Agreement on December 13, 2013. The property is 4.5 acres and when developed will have twenty-two condominium units. Access to the property will be off an internal access road that connects to a road on land owned by the Bureau of Land Management, which then connects to Beartooth Road.

The applicant, Backdoor Mountain, LLC, is seeking to amend condition No. 15, which requires the parkland to be dedicated in the location shown on the preliminary plat. According to the preliminary plat, the location is adjacent to Beartooth Road and the applicant would like to relocate the parkland to a site adjacent to Holter Lake.

Commissioner McCormick referenced previous conversations about soil disturbance along the lakeshore. Ms. Morgan explained there are multiple agencies that have jurisdiction over the lakeshore depending on the proposal of work to be done. There is not a specific plan at this time for the development so it is not known what agency or agencies would be involved in permitting and approval. This project would be similar acreage and would be adjacent to Holter Lake but would be dedicated as parkland for use by the condominium residents only.

Commissioner Good Geise noted the new proposed parkland seems much smaller on the map than the current proposed parkland. Ms. Morgan explained the exact location and size is unknown at this time. The applicant does want it adjacent to the lake and under statute they are required to provide the minimum acreage.

Ms. Morgan explained the proposed parkland will be different than normal in that it will be for condominium residents only. Typically, the County sees dedication of parkland that is for use by the public. Montana statute allows the dedication of parkland for residents only but it will have to be dedicated in perpetuity.

No public comment was received.

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

Amended Plat of Tract B1D-19 and Lot 81 - Grasslands Subdivision II. (Applicants: Grass-Land, Inc. and Dax and Kristen Cetraro) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II presented the proposed amended plat of Tract B1D-19 and Lot 81 of the Grasslands Subdivision II. The request is for the removal and relocation of utility easements on Lot 81, the addition of a public access and utility easement on Lot 81, and the addition of a utility easement on Tract B1D-19. A utility easement exists along a portion of the north property boundary and the entire length of the east property boundary of Lot 81. According to the application, a fence located on Lot 81 is encroaching onto Tract B1D-19, which abuts Lot 81 along a portion of its north property boundary and the entire length of its east property boundary. In addition a gas line has been installed on Tract B1D-19 outside of any existing easements due to the fence location. To eliminate this encroachment and to establish easements for the gas line, the applicants are proposing a boundary line relocation between the two properties that will increase the size of Lot 81 by adjusting a portion of its north property boundary an additional 30 feet to the north and moving its entire east property boundary an additional 15 feet to the east. In addition to this boundary line relocation, the applicants are requesting the removal of the utility easement located along a portion of the current north property boundary of Lot 81 and relocation of the easement along the entire east property boundary of Lot 81 to the east edge of the proposed new property boundary for Lot 81. In addition to the removal and relocation, the applicants plan for an extension of the public access and utility easement for Karmen Road along the proposed new north boundary of Lot 81. The applicants are also proposing an additional utility easement along the planned new west property boundary of Tract B1D-19 where this property will abut the proposed relocated easement along the planned new east property boundary for Lot 81. According to the preliminary plat, there are no existing utilities lying within any portion of the easements to be removed or relocated. The existing gas line on Tract B1D-19 will be located with the proposed utility easement to be shared between Lot 81 and Tract B1D-19, and within the public access and utility easement extension for Karmen Road within the proposed new boundaries of Lot 81. As proposed, a small section of the gas line on Tract B1D-19 will still lie outside of both proposed easements.

No comments were received from adjacent property owners. Comments were received from NorthWestern Energy stating that they have the 2-inch gas line that runs north-south in the area and that they believe that it will be located within the proposed easement.

The proposal would be in compliance with the covenants that are placed on the properties. Staff does recommends approval of the request subject to three conditions, to allow for the: extension of a 30-foot wide, public access and underground utility easement along the proposed new property boundary of Lot 81 for the south half of Karmen Road; removal of the 10-foot wide, underground utility easement along a portion of the current north property boundary of Lot; relocation of the 10-foot wide, underground utility easement along the east property boundary of Lot 81; and, the addition of a 10-foot wide, underground utility easement along the proposed new boundary of tract B1D-19 where it will abut the proposed new boundary for Lot 81 south of the proposed extension of Karmen Road.

PUBLIC COMMENT

Dax Cetraro, 1835 Karmen Road, asked that this be approved; it is just to clean up the area.

A motion was made by Commissioner Good Geise to table this item until the next regularly scheduled public meeting on Thursday, May 10, 2018. The motion was seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

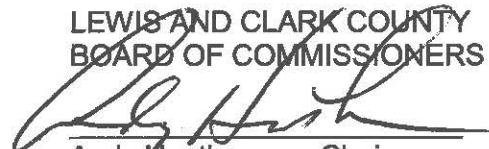
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

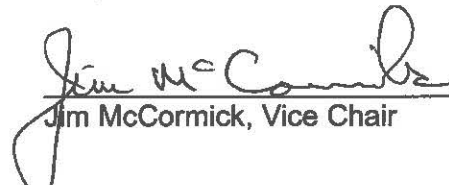
Reese Martin, DES Coordinator, gave an update on the flooding that is currently happening in the Helena Valley. The County will re-open sandbag distribution starting at 11:00 at the Fairgrounds. The report this morning is water is seeping through the sandbags around Rossiter School so they are placing a pump in the ditch to pump some of the water away from the area. Mr. Martin recognized the positive response from the volunteers.

Adjourn

There being no further business, the meeting adjourned at 9:45 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair

Jim McCormick, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board