



PUBLIC MEETING

July 19, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, July 19, 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, McKenzie McCarthy, Tammy Potter, Dan Karlin, Lindsay Morgan, Eric Spangenberg, Greg McNally, Vern Evans, Mike Magee, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Disposal of Records Request. (Katrina Chaney)

Eric Bryson reported on the consent action item 2 a 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 3-0 vote.

Agreement Between Lewis and Clark County and Trakstar. (McKenzie McCarthy)

McKenzie McCarthy, Human Resource Director, presented the contract with Trakstar in the amount of \$14,595 for employee evaluation software. The system provides real time feedback that can be tied into the end of year evaluation and will provide feedback for both the employee and employer. The contract period is August 22, 2016 through August 22, 2017.

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.

Contract Between Lewis and Clark County and Warren Sears. (Tammy Potter)

Tammy Potter, LCSO, presented the contract with Warren Sears for replacement and installation of windows at the Lincoln and Augusta Sheriff's Office sub-stations in the amount of \$6,387. The contract is through August 1, 2016.

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 Award to Lewis and Clark County from the Montana State Library. (Eric Spangenberg)

Eric Spangenberg, GIS Coordinator, presented the grant award from the Montana State Library for the Corner Recordation Feature Class project for a total cost of \$37,500. This includes the Montana Land Information Act Grant award of \$27,000 with a local MLIA match of \$10,500. The statement of work was included in the grant award for approval. The project will assist surveyors in the field to record corners. The records will be digitized and recorded and available in the Clerk and Records Office. The grant period began July 1, 2016 and goes through September 30, 2017.

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.

Agreement Between Lewis and Clark County, Montana Department of Transportation and Montana Rail Link. (Dan Karlin)

Dan Karlin, County Engineer, presented the agreement with Montana Department of Transportation and Montana Rail Link to provide all barricades, lights, roadway flagmen and to patch roadway at the railroad crossing on McClellan Creek Rd. The agreement states that the County will take ownership of the railroad crossing. The agreement is a standard agreement for all railroad crossings.

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.

Off-Site Fire Protection Request for Preliminarily Approved Garden Valley Subdivision. (Applicant: Larry Kim Smith) (Planner: Lindsay Morgan)

Lindsay Morgan, Planner II, presented the off-site fire protection request for the preliminarily approved Garden Valley Subdivision. The applicant's representative has requested to utilize the off-site fire protection source serving both the Frontier Village Estates Subdivision and the Buckboard Meadows Subdivision in order to meet Condition No. 11 of the Garden Valley Subdivision's preliminary approval. According to Condition No. 11, the Applicant was given the option of providing either an on-site or an off-site fire protection source. Because this Condition allows for both, the Applicant is seeking to use the well that is located within Buckboard Meadows Subdivisions to meet this requirement and the hydrant for this source is located approximately 0.50 road miles in Frontier Village Estates. According to the letter from Mr. Casne, the existing, off-site fire protection system consists of one, 170-foot deep, 10-inch diameter well, which was pump tested in 2011 at 1010 g.p.m.; a 40 h.p. submersible turbine pump with a 460V, three-phase soft start; a control panel; and a 6-inch hydrant with the associated valving and piping. In addition, the hydrant for the system lies within the public access easement for Bootlegger Drive in the Frontier Village Estates Subdivision, the well is located within a fire protection easement on Lot 13 of the Buckboard Meadows Subdivision, and the pipes connecting the hydrant and well lie within County Road and public access easements in both Subdivisions. The Garden Valley Subdivision was reviewed and approved under the current Lewis and Clark County Subdivision Regulations dated 2013. According to

the preliminary plat application for the Garden Valley Subdivision, no information was provided regarding an off-site fire protection system, as Mr. Smith proposed the establishment of an on-site system. In order to comply with the Subdivision Regulations, current performance data will need to be provided for this system that meets the requirements of the Subdivision Regulations and under the conditions of approval for the Subdivision. The applicant has requested permission to test the hydrant for this system. The fire protection system lies within the West Helena Valley Fire District, as does the Garden Valley Subdivision. In order to utilize this system, the applicant will need to obtain an approval from the Fire District. In addition, the applicant will be required to either amend the existing fire protection RID for this system or establish a new RID that will contribute to its maintenance. Based on the requirements of the Subdivision Regulations, the additional lots created under the Garden Valley Subdivision will not require any upgrades or expansion of this fire protection system. In addition, the location of this system is less than one County road mile from the Subdivision and will not require the Fire District to travel on arterial or major collector roads, cross any railroad tracks, or utilize any roads in excess of 11% grade. Staff is looking for the Commission to determine whether or not the Commission approves of the location of this system, as being the fire protection source for the Garden Valley Subdivision. If the Commission generally supports the use of this system to serve the Garden Valley Subdivision, the Applicant can pursue the documentation required under the Subdivision Regulations and required under the conditions of approval for the Subdivision.

Commissioner Hunthausen asked if John G. Mine is a minor collector.

Lindsay Morgan stated that John G. Mine Road is a minor collector.

Commissioner Hunthausen asked if there were any additional comments received from the Fire Department.

Lindsay Morgan stated that the applicant met with the board of trustees for the Fire District and they are working on fixing the system. They do not have permission from the Fire District at this time to use the system.

Commissioner Hunthausen stated they need to address the cumulative impacts of multiple subdivisions relying on one fire source.

Eric Bryson stated that staff is looking at redefining subdivision regulations to address cumulative impacts on fire sources.

Commissioner Murray asked if there is water for fire protection in the area currently.

Lindsay Morgan stated the fire protection source is currently not working.

PUBLIC COMMENT-

Jerry Shepard, Wes Valley Fire Department Chief, stated they are trying to find an electrical engineer to fix the system and noted the system has been down for approximately 6 months. The Subdivision currently has fire protection as they bring water to each fire. The next water source is approximately 1.5 miles away. They do check the systems on a regular basis and that is how they found out it was not working.

Commissioner Geise asked if the applicant will be responsible for the costs involved with fixing the system.

Jerry Shepard stated they have found a funding source through the RID, he is currently trying to find someone to fix the issue.

Commissioner Geise clarified if the issue before them is in regards to the location of the fire system.

Michele Peterson-Cook stated the Commission is looking to approve the location of the off-site fire protection source. The issues of it working or not will come before the Commission prior to final plat.

Jerry Shepard stated if the system works the Trustees will approve the system and they are fine with the location. He noted that the applicant did not put the system in but is part of the maintenance through the RID. He further added that a study should be done on the cumulative effects of new subdivisions on Volunteer Fire Departments.

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

Request for Extension of a Subdivision Improvements Agreement for Canyon Ridge Subdivision, Phase I and Final Plat Application and Subdivision Improvements Agreement for Amended Plat of Canyon Ridge Subdivision, Phase 1-Lot 2A-1. (Canyon Ridge Subdivision, Phase 2) (Applicant: T & M Planning Group, LLC) (Planner: Greg McNally)

Greg McNally, Planner II, presented the request for extension of the Subdivision Improvements Agreement for Canyon Ridge Subdivision, Phase I and the final plat application and the SIA for the Amended Plat of Canyon Ridge Subdivision, Phase 1-Lot 2A-1. The applicant, T & M Planning Group, LLC has submitted an extension request application for the Subdivision Improvements Agreement (SIA) for Canyon Ridge Subdivision, Phase I. The preliminary approval is for a total of 129 lots to be completed in three phases: Phase I includes 63 single-family residential lots, one county parkland lot, one lot for future Phase II, and one lot for future Phase III; Phase II includes 18 single-family residential lots and four open space/park lots; and Phase III includes 42 single-family residential lots and one open space/park lot. Phase I was given final plat approval on December 18, 2015. The SIA was entered into on December 17, 2015 and the plat was filed on December 18, 2015. The Applicant has not yet completed the following improvements as required by the SIA: seeding of ditches, swales and ponds as required by the storm water drainage plan; management of a Montana Pollution Discharge Elimination System permit, as needed; installation of approach permits in accordance with MDOT requirements; construction of internal roads, including turnouts, and extensions of internal access roads and the application of an asphalt seal coat to all internal roads; installation of mail delivery facilities; and installation of street identification and traffic control signs. The Applicant requests that the Commission extend the current SIA to allow the completion of all improvements by June of 2017. They further request that this extension include the required improvements for Phase II which is proposed to be final platted. The remaining improvements for Phase I and Phase II are estimated to cost \$790,456 as noted in the estimates provided by Jeremy Fadness, P.E., dated July 5, 2016. The Applicant has provided a letter of credit in the amount of \$1,074,939.00 (in excess of 125% of estimated costs of remaining improvements). It should be noted that Staff has visually identified on-site that the Applicant has nearly completed much of the required road construction improvements and is aware that the Applicant is in the process of certifying those improvements. Noted exceptions include the required extensions of the internal access roads between lots 79 and 80 and Lots 89 and 90 and the application of an asphalt seal coat to all internal access roads, turnouts, and extensions. Staff has provided a draft SIA which requires the work to be completed prior to July 20, 2017. The draft SIA also includes the remaining improvements for Phase II that the Applicant requests be included in this SIA. The list of the conditions of approval for Phase II and a description of compliance for each condition was reviewed. Staff has reviewed the plat and found it to be in compliance with the Lewis and Clark County Subdivision Regulations. All conditions have been met and/or otherwise addressed by the Applicant.

No public comment was received.

A motion was made by Commissioner Geise to extend the Subdivision Improvements Agreement for Canyon Ridge Subdivision, Phase I and the final plat application and the SIA for the Amended Plat of Canyon Ridge Subdivision, Phase 1-Lot 2A-1. The motion was seconded by Commissioner Hunthausen. 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 9:46 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