



PUBLIC MEETING

July 28, 2015
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, July 28, 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 and Commissioner Mike Murray were present. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Kevin Hamilton, Greg McNally, Nancy Everson, Paul Spengler, Dean Retz, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

a. Pledged Securities as of June 30, 2015. (Paulette DeHart)

Eric Bryson reported on the consent action item 2a and recommended approval.

No public comment was received.

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

Resolution 2015-103 To Budget Additional Property Tax Revenue. (Nancy Everson)

Nancy Everson, Finance Director, presented the resolution to budget additional property tax revenue the amount is authorized by 15-10-420 which authorizes a property tax levy increase of one-half of the average rate of inflation for the prior three years based upon the the consumer price index which showed a 1.34% average resulting in a .67% property tax levy increase.

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 3-0 vote.

Resolution 2015-104 Adopting the Final Operating Budget and Setting Appropriation Authority for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016. (Nancy Everson)

Nancy Everson, Finance Director, presented the resolution adopting the final operating budget and setting appropriation authority for the fiscal year beginning July 1, 2015 and ending June 30, 2016. The resolution authorizes appropriations to defray expenses or liabilities for the fiscal year and establishes legal limits.

No public comment was received.

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

Independent Contractor Contract between Lewis & Clark County and Western Sky Electric. (Paul Spengler)

Paul Spengler, DES Coordinator, presented the contract between Lewis & Clark County and Western Sky Electric in the amount of \$35,889 for the purchase and installation of a generator at the Augusta Senior Center. The County received a Homeland Security Grant that will provide the generator to maintain power at the Augusta Senior Center in the event of a power outage so that it can be used as a Red Cross Shelter.

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 3-0 vote.

Request to Close and Vacate a Segment of Townsend Street in Blocks 2 and 5 of the Hewins Addition. (tabled 7/14/15) (Applicant: Eastside Storage, LC) (Planner: Frank Rives)

Greg McNally, Planner II, presented the request to close and vacate a segment of Townsend Street in Blocks 2 and 5 of the Hewins Addition. The request was heard on July 14 and was tabled for a decision today. The applicant is agreeable to tabling of this item to further discuss options.

No public comment was received.

A motion to table the item until the regularly scheduled meeting on August 20, 2015 was made by Commissioner Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

Request to Close and Vacate a Segment of Townsend Street in the Hewins Addition. (tabled 7/14/15) (Applicants: Doyle Davis and D&D RV Storage, LLP) (Planner: Frank Rives)

Greg McNally, Planner II, presented the request to close and vacate a segment of Townsend Street in Blocks 1 and 6 of the Hewins Addition. The applicant is agreeable to tabling of this item to further discuss options.

A motion to table the item until the regularly scheduled meeting on August 20, 2015 was made by Commissioner Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

Request to Close and Vacate Can Am Court in the Brownlee Minor Subdivision. (tabled 7/14/15) (Applicant: Dean Retz) (Planner: Frank Rives)

Greg McNally, Planner II, presented the request to close and vacate Can Am Court, a road serving the Brownlee Minor Subdivision. It was noted that a quit claim deed is not required. There was an addition of a condition where the Commission would adopt a resolution to document the road closure and vacation. The applicant shared an image that showed utilities and the telephone line that goes east to west through the utility easement between the four lots and a power line that comes from Lincoln Road that serves one lot along Lincoln Road.

Commissioner Hunthausen asked if any action that the Commission takes does not impede any of the utility easements that exist.

Greg McNally stated that is correct, the utility easements would remain if the Commission were to move forward with the request.

Commissioner Geise asked when public property is vacated to whom the property goes.

K. Paul Stahl, Deputy County Attorney, stated there is a statute that states the County doesn't own the fee title to the property. The County will own the easement over the property however the land owner owns the underlying ground and pays taxes on that ground.

Christal Ness, Project Coordinator, stated the road was created as part of the subdivision review. The applicant is intending to aggregate the four lots into two lots that would eliminate the need for this road. If the road is abandoned a survey to aggregate the lots would be required as the next step.

Commissioner Geise stated that the photograph that shows a structure within that easement troubles her and she will not support the request.

Commissioner Hunthausen stated that he agrees with Commissioner Geise and the trouble of having a structure built within an easement however that is a different issue than the request before the Commission.

No public comment was received.

A motion to Approve with Conditions was made by Commissioner Murray and seconded by Commissioner Good Geise. The motion Passed on a 2-1 vote with Commissioner Geise voting against.

Board Appointment. (Eric Bryson)

Eric Bryson presented the board appointment and recommended the appointment of Michelle Cuddy on the Mental Health Local Advisory Board as the provider of adult mental health services representative. The term will expire on June 30, 2017.

No public comment was received.

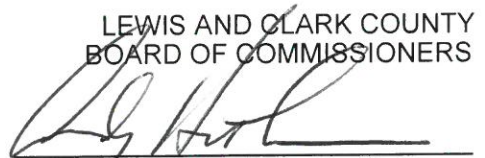
A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

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 9:40 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