



## **PUBLIC MEETING**

July 28, 2016

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, July 28, 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, George Theborge, Greg McNally, Christal Ness, Paul Spengler, Audra Zacherl, Dan Karlin, Marni Bentley, Laura Erikson, and Nichole Nisbet, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Vendor Claims Report for Week Ending July 29, 2016. (Marni Bentley)
- b. Agreement Between Lewis and Clark County and Montana State University Extension. (Brent Sarchet)
- c. Standard Audit Contract with Anderson ZurMuehlen & Co., PC for the Audit Period Covering July 1, 2015 to June 30, 2018. (Nancy Everson)
- d. Understanding of Audit Services Provided by Anderson ZurMuehlen & Co., PC for Year Ending June 30, 2016. (Nancy Everson)

Eric Bryson reported on the consent action items 2 a-d 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.

### **Contract Agreement Between Lewis and Clark County and Restoration Engineering, Inc. (Laura Erikson)**

Laura Erikson, Community Development Coordinator, presented the contract agreement with Restoration Engineering, Inc. for a not to exceed amount of \$30,000 for restoration planning for the Poorman Creek Restoration Project. The section of the creek includes bull trout and the restoration will return the section back to its original state. The effective date is from date of contract approval to October 31, 2016.

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.

**Lease Agreement Amendment No. 4 Between Lewis and Clark County and John C. Taylor Trust. (Eric Bryson)**

Eric Bryson presented the contract amendment with John C. Taylor Trust to lease three additional office spaces for the County Coroner's office for the monthly rent amount of \$1,010. The lease is on a month to month basis.

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.

**Resolution 2016-63 Intent to Increase the Assessment Rate for the Marysville Solid Waste Sub-District. (Audra Zacherl)**

Audra Zacherl, Assistant Public Works Director, presented the resolution of intent to increase the assessment rate for the Marysville Solid Waste Sub-District. On June 21, 2016 the Scratchgravel Solid Waste District Board met and approved a proposed increase in the assessment rate from \$58 per year to \$79 per year. The increase is needed to cover the rising costs associated with solid waste disposal for Marysville residents. The public hearing will be held on Thursday, August 11, 2016. Staff recommended approval of the resolution and to open the comment period.

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 Michael Baker International, Inc. (tabled 7/26/16) (Paul Spengler)**

Paul Spengler, DES Coordinator, presented the contract with Michael Baker International, Inc. for an impartial review of the technical and scientific information submitted by WWC Engineering for the Red Fox Meadows Subdivision Hydrologic analysis in the amount of \$8,880. The analysis would be prepared by September 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.

**Resolution 2016-64 To Remove the Guest House Restrictions from the Property Located at 7707 York Road. (Christal Ness)**

Christal Ness, Ombudsperson, presented the resolution to remove the Guest House deed restrictions for property located at 7707 York Road. In 2012 the applicants, the Jahrs, executed a boundary line relocation and recorded the deeds for the new parcels. At that time, Jahrs acquired both parcels, and the new deed for parcel E-1 included Guest House Restriction required under the 2010 Subdivision Regulations, for a guest house to be constructed on the parcel. The recorded deed was in conformance with the requirements of the regulations. In 2013 the Montana Legislature amended the Subdivision and Platting Act by removing the requirement for subdivision review of auxiliary dwellings on single parcels. With the adoption of the Buildings for Lease or Rent Application and Review Process, the Jahrs could have additional unrestricted housing units on their property so long as there was conformance with the Department of Environmental Quality and the Lewis and Clark County Environmental Health Department. Based on the change in the law and the regulations, the Jahrs have requested the Board of County Commissioners allow them to record a new property deed without the Guest House restrictions required by the Subdivision Regulations in 2012.

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.

**Request for Extension of Subdivision Improvements Agreement for Timberworks Estates, Phase IV Subdivision. (Applicants: Glenn and Matthew Hayes) (Planner: Greg McNally)**

Greg McNally, Planner II, presented the request to extend the Subdivision Improvements Agreement for Timberworks Estates, Phase IV. The SIA was entered into on August 20, 2015. The Subdivider requests that the Commission extend the current SIA to allow the application and certification of an asphalt-seal coat on all internal access roads in Phase IV. The Subdivider has provided a letter of credit in the amount of \$19,825.8. The Subdivider has indicated that the asphalt-seal coat application within Phase IV will also incorporate the required asphalt-seal coat application in Phase I. The improvements in both phases are proposed to be completed by September 30, 2016. An asphalt-seal coat application has already been applied to all roads within Phase II and III.

No public comment was received.


A motion was made by Commissioner Geise that after reviewing all comments from the public, the Subdivision Improvements Agreement Extension Request application and supplements, Staff's Interoffice Memorandum and draft amended Subdivision Improvements Agreement, and additional information presented at the meeting, to approve the Subdivider's request to extend the Subdivision Improvements Agreement for the Timberworks Estates, Phase IV Subdivision, extending the completion date of the Agreement to September 30, 2016. 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 9:22 am.

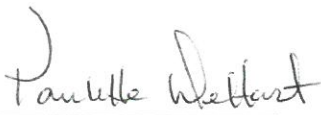
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael Murray, Chairman

  
Susan Good Geise, Vice Chair

  
Andy Hunthausen, Member

ATTEST:

  
Paulette DeHart, Clerk of the Board