



Gallatin County, Montana

311 West Main Street, Bozeman, MT 59715



Gallatin County Commission Meeting Minutes August 18, 2009

Description **Gallatin County Commissioners' Journal No. 51 August 18, 2009**

Date **08/18/2009** Location County Commission

Time Speaker Note

9:01:02 AM Chairman White Call to Order, Moment of Silence, Pledge of Allegiance. Present were Commissioners White, Murdock and Skinner, Deputy County Attorney Jecyn Bremer, and Acting Clerk to the Board Veniece Lindemulder.

9:01:52 AM Chairman White Announcement: Reminder to the public that the meeting is being recorded, televised live by Bresnan Communications and streamed over the internet.

9:02:21 AM Chairman White There was no public comment on matters within the Commission's jurisdiction.

9:02:44 AM Acting Clerk to the Board Veniece Lindemulder The consent agenda was read as follows: 1. Approval of Claims, 2. Approval of Contracts: Negotiated Agreement with the Gallatin Rest Home Bargaining Unit, Bresnan for Fiber Connection at 100mb to new 911 Center (\$625/month), 3. Approval of a Grant Application to the Montana Department of Transportation for Funding of the MSU Bobcat Sport DUI Program (\$15,000), 4. Decision on Final Plat Application for Amended Plat of Lot 8A, Amended Plat of Lot A and B of the Amended Plat of Lot 8, of Hyalite Foothills Subdivision No. 2, 5. Decision Regarding Final Plat Approval of the Pegasus Minor Subdivision, 6. Decision on a Request for Release of the Improvements Agreement for Kendrick/Perkins.

9:03:58 AM There was no public comment.

9:04:04 AM Deputy County Attorney Jecyn Bremer Comments

9:04:16 AM Belgrade City-County Planner Heidi Jensen Comments, submitted new staff report for Consent Agenda Item #5.

9:04:40 AM County Planner Ada Montague Comments, submitted new staff report for Consent Agenda Item #6.

9:05:15 AM Commissioner Skinner Move to approve the consent agenda with the corrections we received today.

9:05:20 AM Commissioner Murdock Second

9:05:22 AM Motion passed unanimously.

9:05:30 AM Chairman White Public Hearing and Decision Regarding the Sponsorship of Projects to be Funded by the Community Transportation Enhancement Program (CTEP)

9:05:41 AM Grants Administrator Larry Watson Presentation

9:07:42 AM Discussion and Questions

9:08:59 AM Public Comment Gene Townsend-Mayor of the City of Three Forks, Craig Bergstedt-City of Manhattan, submitted application labeled Exhibit A, Item #1, **Ashley Mares Jones and Walt Sales, Amsterdam/Churchill Community, submitted application labeled Exhibit B, Item #1**, Bob Urich, and Carl Bartman-Jolly Neighbors Club of Springhill, submitted photographs labeled Exhibit C, Item #1.

9:30:16 AM Chairman White Closed public comment.

9:30:22 AM Board discussion including Larry Watson

9:39:29 AM Commissioner Murdock I move that we approve \$27,340 for the Dry Creek School.

9:39:37 AM Commissioner Skinner Second

9:39:46 AM Motion passed unanimously.

9:40:11 AM Commissioner Skinner I would move to fund \$90,000 for the Churchill sidewalk.

9:40:21 AM Chairman White Second

9:40:28 AM Motion passed unanimously.

9:40:41 AM Commissioner Skinner About \$43,000 left.

9:40:47 AM Commissioner Murdock I move that we appropriate that money to the Three Forks to Manhattan extension trail project.

9:40:57 AM Commissioner Skinner Second

9:41:02 AM Discussion between Commission and Larry Watson

9:43:44 AM Motion passed unanimously.

9:44:00 AM Board discussion

9:45:10 AM Chairman White Board Appointment: Fort Ellis Fire Service Area

9:45:33 AM There was no public comment.

9:45:41 AM Commissioner Skinner Move to appoint Tom Finegan.

9:45:43 AM Commissioner Murdock Second

9:45:44 AM Motion passed unanimously.

9:45:51 AM Chairman White Public Hearing and Decision on a Resolution of Road Name Change in Gallatin County to Name Un-named Roads off Skunk Creek Road to Lower Skunk Creek Road

9:46:11 AM GIS Coordinator Allen Armstrong Presentation, submitted map labeled Exhibit A, Item #3.

9:49:25 AM There was no public comment.

9:49:33 AM Commissioner Skinner Move to approve Resolution #2009-098, a resolution which would change an un-named road off Skunk Creek Road to Lower Skunk Creek Road.

9:49:42 AM Commissioner Murdock Second

9:49:46 AM Motion passed unanimously.

9:49:54 AM Chairman White Public Hearing and Decision on a Resolution of Road Name Change in Gallatin County to Name Un-named Roads off Skunk Creek Road to Middle Skunk Creek Road

9:50:03 AM GIS Coordinator Allen Armstrong Presentation

9:50:23 AM There was no public comment.

9:50:28 AM Commissioner Murdock Move to approve Resolution #(2009)-099

9:50:32 AM Commissioner Skinner Second

9:50:34 AM Motion passed unanimously.

9:50:41 AM Chairman White Public Hearing and Decision on a Resolution of Road Name Change in Gallatin County to Name Un-named Road off Skunk Creek Road to Upper Skunk Creek Road - pulled

9:50:46 AM Chairman White Public Hearing and Decision on a Resolution of Road Name Change in Gallatin County to Name Un-named Roads off Skunk Creek Road to Bangtail Trace

9:50:56 AM GIS Coordinator Allen Armstrong Presentation

9:51:17 AM Discussion and Questions

9:51:30 AM There was no public comment.

9:51:37 AM Commissioner Skinner Move to approve Resolution #2009-100.

9:51:42 AM Commissioner Murdock Second

9:51:45 AM Motion passed unanimously.

9:52:20 AM Chairman White Public Hearing and Decision on Common Boundary Relocation Exemption from Subdivision Review Requested by Lee & Lynda Thomas

9:52:33 AM County Planner Christopher Scott Staff report

9:55:14 AM Discussion and Questions

9:57:41 AM Mark Chandler, C&H Engineering & Surveying Presentation on behalf of applicants Lee & Lynda Thomas. Submitted map labeled Exhibit A, Item #7.

10:00:08 AM There was no public comment.

10:00:16 AM Board discussion

10:00:32 AM Commissioner Skinner I'll move to approve.

10:00:34 AM Commissioner Murdock Second

10:00:42 AM Board discussion/Findings

10:01:20 AM Motion passed unanimously.

10:01:29 AM Chairman White Public Hearing and Decision Regarding the McBride Minor Subdivision, Including a Variance Request from Section 7.F.3 of the Gallatin County Subdivision Regulations - pulled indefinitely

10:01:40 AM Chairman White Public Hearing and Decision on a Resolution Initiating Amendments to Section 6.E.(1), Fire Protection Requirements and APPENDIX I: Fire Protection Packages, of the Gallatin County Subdivision Regulations

10:01:56 AM County Planner Randy Johnson Presentation

10:03:43 AM There was no public comment.

10:03:51 AM Commissioner Murdock Comments, I move that we approve Resolution of Intention #2009-101.

10:04:12 AM Commissioner Skinner Second

10:04:18 AM Motion passed unanimously.

10:04:34 AM Chairman White Public Hearing and Decision on the Consideration of Acceptance of Improvements Agreement for the Alltel Minor Subdivision for the Creation of a Lease Parcel to Accommodate a Telecommunications Tower

10:04:48 AM County Planner Randy Johnson Staff report

10:06:43 AM There was no public comment.

10:06:55 AM Commissioner Skinner Comments, I would move to approve this Improvements Agreement for the Alltel Minor Subdivision.

10:07:11 AM Commissioner Murdock Second

10:07:14 AM Motion passed unanimously.

10:07:22 AM Chairman White Public Hearing and Decision on a Request for Final Plat Approval for the Alltel Minor Subdivision for the Creation of a Lease Parcel to Accommodate a Telecommunications Tower

10:07:31 AM County Planner Randy Johnson Staff report

10:08:48 AM There was no public comment.

10:08:55 AM Commissioner Murdock Comments, I move that we grant final plat.

10:09:07 AM Commissioner Skinner Second

10:09:11 AM Motion passed unanimously.

10:09:18 AM Chairman White Public Hearing and Decision on a Resolution to Adopt Transportation Related Amendments to the Gallatin County Subdivision Regulations Section 1, General Provisions and Definitions; Section

7, Design and Improvement Standards, Roads; and Section 9, Environmental Assessment, Creation of Traffic Impact Study (TIS) Requirements (Continued from 7/28 and 8/11/2009)

10:09:45 AM County Planner Christopher Scott Presentation

10:21:50 AM Discussion between the Commission, Christopher Scott and Deputy County Attorney Jecyn Bremer

10:28:34 AM Public Comment Ted Lange-Gallatin Valley Land Trust, Bob Lee-Land Use Planner, Morrison-Maierle, Inc., submitted handout with requested language additions labeled Exhibit A, Item #12, and Dale Beland.

10:45:12 AM Board discussion

10:49:11 AM Commissioner Murdock Move to approve the regs as revised (Resolution #2009-102).

10:49:14 AM Commissioner Skinner Second

10:49:16 AM Discussion between the Commission, Christopher Scott and Attorney Jecyn Bremer

10:51:50 AM Motion passed unanimously.

10:52:01 AM Recess

11:02:48 AM Chairman White Reconvene to meeting. Public Hearing and Decision Regarding the Barker Minor Subdivision, Including a Variance Request from Section 6.B.8, 7.B, 7.F.3 & 7.J.3 of the Gallatin County Subdivision Regulations

11:03:17 AM Discussion between the Commission and Deputy County Attorney Jecyn Bremer

11:10:08 AM County Planner Tom Rogers Staff report, submitted correspondence labeled Exhibit A, Item #13.

11:17:50 AM Discussion and Questions

11:21:36 AM Keith Waring, TD&H, Inc. Presentation on behalf of applicants Jocelyn Barker & Robert MacDonald, submitted photographs and a map labeled Exhibit B, Item #13.

11:23:06 AM Rob Pertzborn, Intrinsic Architecture Presentation on behalf of applicants Jocelyn Barker & Robert MacDonald

11:26:19 AM Discussion between the Commission and Jocelyn Barker

11:27:55 AM Keith Waring, TD&H, Inc. Presentation on behalf of applicants Jocelyn Barker & Robert MacDonald, submitted requested changes and deletions to suggested conditions labeled Exhibit C, Item #13.

11:37:07 AM Discussion between the Commission, Keith Waring and Jecyn Bremer

11:41:13 AM Chairman White Closed public comment.

11:41:31 AM Board discussion

11:43:58 AM Commissioner Skinner Move to waive the requirement to provide access to unsubdivided lands (under public ownership).

11:44:04 AM Commissioner Murdock Second

11:44:09 AM Discussion between the Commission and Jecyn Bremer

11:44:32 AM Motion passed unanimously.

11:44:38 AM Commissioner Murdock I move that we waive the other three requirements for the, getting the proper standard for Bostwick Road, for the private road easement and for the third one, which was involving, I think, building the private road easement to county standards (6.B.8, 7.B, 7.F.3 & 7.J.3)

11:45:04 AM Discussion between the Commission, Jecyn Bremer and Keith Waring

11:45:47 AM Commissioner Skinner Second

11:45:48 AM Board discussion/Findings including County Planner Randy Johnson and Keith Waring, requested to strike the word "not" from item "b" under "Review Criteria" of all four variance requests.

11:53:20 AM Motion passed unanimously.

11:53:29 AM Commissioner Skinner I would move to approve the Barker Minor Subdivision with staff-suggested conditions with, since we've approved the variances we can delete Conditions #3, #4 and #5, and I would also adopt the suggested changes that the applicant gave us (see Exhibit C, Item #13) in Conditions #6, #12, #17c, #17e, #17f and #17g.

11:54:03 AM Commissioner Murdock Second

11:54:06 AM Chairman White In discussion, I'd also like for the Commissioners to consider an additional amendment to the motion, and that would be in Condition #13, which is on page #14 on the fire protection requirements on the second line, it says, "The subdivider shall have the Central Valley Rural Fire District review and approve the fire protection method and all fire protection requirements prior to final plat approval." Pursuant to Resolution #2008-139 we changed the subdivision regs to only demand review and not approval. And so I would like to have the Commission consider striking the two words, "and approve" from Condition #13.

11:54:54 AM Commissioner Skinner I would put that into my motion.

11:54:57 AM Commissioner Murdock Second agrees

11:55:11 AM Board discussion/Findings including Jecyn Bremer and Randy Johnson

11:57:33 AM Motion passed unanimously.

11:57:40 AM Meeting adjourned.