



Gallatin County, Montana

311 West Main Street, Bozeman, MT 59715



Gallatin County Commission Meeting Minutes August 31, 2010

Description **Gallatin County Commissioners Journal No. 51 August 31, 2010**

Date 08/31/2010 Location County Commission

Time Speaker Note

9:01:09 AM Chairman Skinner Call to Order, Moment of Silence, Pledge of Allegiance. Present were Commissioners White, Murdock and Skinner, Deputy County Attorney James Greenbaum, and Acting Clerk to the Board Veniece Lindemulder.

9:02:06 AM Chairman Skinner Announcement: Reminder to the public that the meeting is being recorded, televised live by Bresnan Communications and streamed over the internet.

9:02:29 AM Chairman Skinner There was no public comment on matters within the Commission's jurisdiction.

9:02:47 AM Acting Clerk to the Board Veniece Lindemulder Read the Consent Agenda as follows: 1. Approval of Claims, 2. Approval of Meeting Minutes from July 20 and 27 and August 3 and 10, 2010 and Budget Work Session Minutes from June 23 and 24 and August 11 and 24, 2010, 3. Approval of Contracts: Three Forks Library to Provide Gallatin County Citizens Library Services for FY2011 (\$42,694); Community Mediation Center to Organize and Coordinate Youth Justice Councils and Maintain Contact with Youth Probation and Court Services for FY2011 (\$25,000), 4. Approval of Asset Trade-In of a Caterpillar 963B Track Loader for the Solid Waste District (\$21,500), 5. Decision on a Request for a Common Boundary Relocation Exempt from Subdivision Review by Guhin/Cook, 6. Decision on a Request for a Common Boundary Relocation Exempt from Subdivision Review by McGough/Hoell

9:04:09 AM There was no public comment.

9:04:18 AM Commissioner White I'd make a motion to approve the consent agenda that Veniece just read into record.

9:04:22 AM Commissioner Murdock Second

9:04:24 AM Motion passed unanimously.

9:04:29 AM Chairman Skinner Proclamation Declaring September National Recovery Month in Gallatin County

9:04:38 AM Director of Court Services Steve Ette Presentation

9:08:39 AM Discussion and Questions

9:11:42 AM Shelly Johnson, Director of Alcohol & Drug Services Presentation

9:13:10 AM Public Comment Rev. Roxanne Klingensmith

9:14:38 AM Commissioner Murdock Comments, It's symbolic but the least we could do is proclaim this National Recovery Month which, I'll make that motion that we do it.

9:15:06 AM Commissioner White Second

9:15:09 AM Board discussion including Steve Ette

9:17:31 AM Motion passed unanimously.

9:17:44 AM Chairman Skinner Presentation of Crisis and Emergency Services Supported by Gallatin County and Outlook for FY2010 Year End

9:18:03 AM Scott Malloy, Director Mental Health Center PowerPoint Presentation

9:22:25 AM Discussion and Questions

9:28:37 AM There was no public comment.

9:28:46 AM No action taken.

9:28:58 AM Chairman Skinner Public Hearing and Decision on a Recommendation to Enter into Contract with Bozeman Plumbing & Heating for Boiler Replacements at the Judge Guenther Memorial Building

9:29:09 AM Procurement Specialist and Facilities Manager Nick Borzak Recommendation to award bid to Bozeman Plumbing & Heating in the amount of \$31,859.

9:29:33 AM Discussion and Questions

9:29:52 AM There was no public comment.

9:29:59 AM Commissioner Murdock Move to award the contract per Nick's recommendation to Bozeman Plumbing & Heating in the amount of \$31,859.

9:30:11 AM Commissioner White Second

9:30:15 AM Motion passed unanimously.

9:30:21 AM Chairman Skinner Opening of Construction Bids for Clover Meadows RID #344

9:30:32 AM Jack Schunke, Morrison-Maierle, Inc. Opened the following bids: Knife River, acknowledged the addendums, bid bond of 10%, Schedule 1 - \$106,073, Schedule 1A - \$4,235, Total - \$110,308; High Country Paving, cashiers check for bid bond requirement, Schedule 1 - \$118,245, Schedule 1A - \$4,625, Total - \$122,870; Hollow

Construction, acknowledged the addendums, Schedule 1 - \$111,470, Schedule 1A - \$12,100, Total - \$123,570. Bids will be taken under advisement and will return next week with a recommendation.

9:38:07 AM There was no public comment.

9:38:15 AM No action taken.

9:38:18 AM Chairman Skinner Public Hearing and Decision Regarding Sponsorship of Projects for the Community Transportation Enhancement Program (CTEP)

9:38:31 AM Grants Administrator Larry Watson Presentation

9:41:58 AM CTEP Applicants John Greve-West Yellowstone Economic Development Council Historical Walking Tour and Tim Van Dam-Churchill/Amsterdam Planning Group-Sidewalks

9:48:05 AM Grants Administrator Larry Watson Comments

9:50:40 AM Public Comment Ashley Mares-Jones

9:51:26 AM Closed public comment.

9:51:31 AM Discussion between the Commission and Larry Watson

9:53:50 AM Commissioner Murdock I will make that a motion then, Mr. Chair, that we award West Yellowstone walking tour \$35,000 per their request and, again, this is all contingent on it, everything being eligible which they'll have to work with Larry Watson on that, and \$42,000 for the completion of the Churchill sidewalk and paths project.

9:54:12 AM Commissioner White Second

9:54:18 AM Board discussion including Larry Watson

9:55:00 AM Motion passed unanimously.

9:55:07 AM Chairman Skinner Recess

10:03:51 AM Chairman Skinner Reconvene to Meeting. Public Hearing, Considering of Protest and Consideration and Decision on a Resolution Levying Four Corners County Water and Sewer District Tax Request

10:04:57 AM Susan Swimley, Attorney for Four Corners Water & Sewer District Presentation, submitted three protests labeled Exhibits A, B & C, Item #6.

10:17:16 AM Discussion and Questions

10:21:18 AM Public Comment Mark Doherty, Michael Wattier, Catherine West, Ken Flikkema, Nancy Flikkema, Lonny Walker, Sean Becker, Mike Stewart, Lisa Gregory-Attorney for Zoot Enterprises, Tony Kolnik and Stephanie Robino.

10:56:49 AM Susan Swimley, Attorney for Four Corners Water & Sewer District Rebuttal

11:03:01 AM Discussion between the Commission, Susan Swimley, Finance Director Ed Blackman-submitted Mill Levy Computation labeled Exhibit D, Item #6, and Deputy County Attorney James Greenbaum

11:23:44 AM Chairman Skinner Closed public comment.

11:23:50 AM Board discussion including Ed Blackman

11:29:45 AM Commissioner White I'd make a motion to adopt the Resolution (#2010-094).

11:29:51 AM Commissioner Murdock Second

11:29:54 AM Board discussion

11:30:45 AM Motion passed unanimously.

11:30:52 AM Recess

11:41:40 AM Chairman Skinner Reconvene to Meeting. Agenda announcement: Items #7 and #8 are going to be heard in reverse order to allow any protests to be heard first. Presentation, Consideration & Decision of Protests for RID Maintenance Districts

11:42:04 AM Finance Director Ed Blackman Presentation

11:42:55 AM Recording Supervisor Eric Semerad Report that no protests were received in the Clerk & Recorder's office.

11:44:11 AM Discussion between the Commission and Ed Blackman

11:45:20 AM Jack Schunke, Morrison-Maierle, Inc. Presentation

12:02:12 PM Discussion and Questions

12:05:13 PM Public Comment Bob Wells-President of Baxter Creek 2 Homeowners Association and submitted correspondence and photographs labeled Exhibit A, Item #8

12:10:31 PM Discussion between the Commission, Ed Blackman and Jack Schunke

12:20:14 PM No action taken.

12:20:18 PM Chairman Skinner Public Hearing and Decision on (a Resolution) Setting the RID Maintenance Costs

12:20:23 PM Finance Director Ed Blackman Presentation, noted a change to RID 370 that instead of \$276.29 as average cost per lot, it be changed to \$226.05.

12:20:49 PM Discussion and Questions

12:21:32 PM Commissioner Murdock I move that we approve Resolution #2010-095 as amended.

12:21:39 PM Commissioner White Second

12:21:43 PM Motion passed unanimously.

12:21:54 PM Chairman Skinner Public Hearing and Decision on Resolution to Use or Not Use Permissive Medical Levy Millage

12:22:01 PM Finance Director Ed Blackman Presentation

12:23:01 PM Discussion and Questions

12:24:01 PM There was no public comment.

12:24:09 PM Commissioner White I'd make a motion to approve Resolution #2010-096.

12:24:14 PM Commissioner Murdock Second

12:24:18 PM Board discussion

12:24:32 PM Motion passed unanimously.

12:24:45 PM Chairman Skinner Public Hearing and Decision on the Proposed Increase in Property Tax Revenue and on a Resolution Not Using the Inflationary Mill Levy

12:24:56 PM Finance Director Ed Blackman Presentation

12:28:37 PM There was no public comment.

12:28:53 PM Commissioner Murdock Move to adopt that Resolution (#2010-097).

12:28:57 PM Commissioner White Second

12:29:04 PM Board discussion including Ed Blackman

12:30:33 PM Motion passed unanimously.

12:30:43 PM Chairman Skinner Public Hearing, Presentation and Decision on Adoption of the Resolution Setting the Final FY2011 Capital and Final Budget and a Resolution Setting the Mill Levies to Support the Approved Budget

12:31:02 PM Finance Director Ed Blackman Presentation

12:35:35 PM There was no public comment.

12:35:58 PM Commissioner White I'd make a motion to approve that Resolution (#2010-098).

12:36:02 PM Commissioner Murdock Second

12:36:07 PM Board discussion

12:37:19 PM Motion passed unanimously.

12:37:49 PM Finance Director Ed Blackman Presentation

12:40:34 PM Discussion and Questions

12:41:55 PM There was no public comment.

12:41:58 PM Finance Director Ed Blackman Comments

12:43:18 PM Commissioner Murdock Move to approve (Resolution #2010-099).

12:43:20 PM Commissioner White Second

12:43:24 PM Motion passed unanimously.

12:43:30 PM Chairman Skinner Public Hearing and Decision Regarding a Family Transfer Exemption Request from Subdivision Review for Raymond E. Plote

12:43:43 PM County Planner Christopher Scott Staff report

12:47:33 PM Chairman Skinner Confirmed applicant Daniel R. Plote was aware he would be testifying under oath.

12:47:54 PM Deputy County Attorney James Greenbaum Comments

12:49:16 PM Daniel R. Plote Appearing on behalf of his father Raymond E. Plote was sworn in by Deputy County Attorney James Greenbaum and testified under oath.

12:53:21 PM Discussion and Questions

12:54:58 PM Bill Dreyer, Dowl HKM Engineering Presentation on behalf of applicant Raymond E. Plote

12:57:05 PM Public Comment Sandra Lahendro-submitted map labeled Exhibit A, Item #12, Richard Anderson and Dan Shepherd

1:03:46 PM Bill Dreyer, Dowl HKM Engineering Comments

1:05:12 PM Board discussion

1:06:00 PM Commissioner Murdock I will move to approve the family transfer exemption just to get something on the table.

1:06:06 PM Commissioner White Second

1:06:10 PM Board discussion including Christopher Scott and Daniel R. Plote

1:16:26 PM Motion passed 2:1. Commissioner Murdock opposed.

1:16:54 PM Chairman Skinner Public Hearing and Decision on a Resolution Amending the Gallatin County Planning Department's Development Review Fee Schedule

1:17:10 PM County Planner Sean O'Callaghan Staff report

1:19:39 PM There was no public comment.

1:19:48 PM Commissioner Murdock Move to approve (Resolution #2010-100).

1:19:50 PM Commissioner White Second

1:19:54 PM Motion passed unanimously.

1:20:12 PM Chairman Skinner Public Hearing and Decision on the Oliver Minor Subdivision, Including a Request for Two Variances to the Road Design Standards of the Subdivision Regulations, Width of Access Road (Section 7, Table 1) and Width of Lot Access (Section 7.E.1)

1:20:31 PM County Planner Tim Skop Staff report

1:31:32 PM Trevor McSpadden, Morrison-Maierle, Inc. Presentation on behalf of applicant Penny Oliver with Oliver Limited Partnership

1:34:40 PM Discussion between the Commission, Trevor McSpadden, Tim Skop and Penny Oliver

1:38:00 PM There was no public comment.

1:38:08 PM Discussion between the Commission and Trevor McSpadden

1:39:01 PM Commissioner White I would make a motion to grant approval of Variance #1 which is the width of lot access (reducing down to 14 feet).

1:39:15 PM Commissioner Murdock Second

1:39:34 PM Board discussion/Findings including Trevor McSpadden, Deputy County Attorney James Greenbaum and County Planner Randy Johnson

1:47:17 PM Motion passed unanimously.

1:47:23 PM Commissioner White I make a motion to grant Variance #2.

1:47:26 PM Commissioner Murdock Second

1:47:31 PM Board discussion/Findings
1:48:25 PM Motion passed unanimously.
1:48:30 PM Commissioner Murdock I move to approve the subdivision with all the conditions with the exception of #8, the removal of #8 and 5.j, the covenant.
1:48:44 PM Commissioner White Second
1:48:49 PM Board discussion/Findings
1:50:10 PM Motion passed unanimously.
1:50:17 PM Chairman Skinner Public Hearing and Decision to Appoint Members to an Informal "Subdivision Regulation (Fire Requirements) Ad Hoc Committee"
1:52:31 PM Public Comment Kandy Rose
2:05:02 PM Commissioner Murdock I move that we appoint the committee that you read into the record with the Mission Statement as you read into the record for a recommendation in three months and those members would be Steve White-County Commission, Mike McKenna-County Planning Board, Jason Revisky-Big Sky Fire, Dave Hoekema-Manhattan (Amsterdam) Fire, Bruce May, Jonathan Roen, Deb Anderson, and, I believe Jecyn Bremer is going to serve as staff, not as a voting member.
2:05:40 PM Commissioner White And, also, I'd like to have Randy Johnson serve as staff on that, too, comments.
2:05:58 PM Commissioner White Second
2:06:01 PM Board discussion including County Planner Randy Johnson, Kate Dinwiddie and Jonathan Roen
2:07:15 PM Motion passed unanimously.
2:07:18 PM Chairman Skinner Board Appointment: Three Forks Ambulance District
2:07:46 PM There was no public comment.
2:07:53 PM Commissioner White I'd make a motion to appoint Bruce Weber to the Three Forks Ambulance District.
2:08:02 PM Commissioner Murdock Second
2:08:04 PM Motion passed unanimously.
2:08:07 PM Meeting adjourned.