

IMAN 
CHILCOTT 
FOSS 
STOLTZ 
KANENWISHER 

Members Present.....Commissioner J.R. Iman, Commissioner Greg Chilcott,
Commissioner Suzy Foss, Commissioner Ron Stoltz and Commissioner Matt Kanenwisher

Date.....December 19, 2011

► Minutes: Glenda Wiles

► Commissioner Stoltz was at the Road Department during a portion of the day participating in interviews.

► The Board met at 10:30 a.m. to hear a request for a revocation of Agricultural Covenant for Gary and Joni Palmer. Present was Planning Administrator Terry Nelson. Commissioners Iman and Chilcott were the only Commissioners present, so no quorum resulted in the meeting being held at 11:00 a.m. Now present was Commissioner Kanenwisher.

Terry presented a power point presentation and Request for Commission Action as attached.

Commissioner Chilcott made a motion that the requested revocation of agricultural covenant on Certificate of Survey #3480 as filed in Book 169, Page 462 and the portion of Book 160, pages 621 & 622 contained in Tract 1B of COS 3480 be approved, so long as the Palmers file the previously approved aggregation with the revocation of agricultural covenant. Commissioner Kanenwisher seconded the motion and all voted "aye".

► The Board met at 1:20 p.m. to adopt Resolution No. 2791 which establishes the Ravalli County Strategic Economic Planning Project and Steering Committee. Present at this meeting were Citizens William Menager and Allen Bjergo as well as Bitterroot Star Publisher Michael Howell. It was noted this resolution added the changes that were discussed on December 12th. **Commissioner Chilcott made a motion to approve Resolution No. 2791. Commissioner Foss seconded the motion. All voted "aye" (4-0).**

► The Board met at 1:30 p.m. to have an update and make a possible decision on the clean up options for the Snyder Lane dumping site. Present were Citizens William Menager, Allen Bjergo, Ravalli Republic Reporter Whitney Bermes, Bitterroot Star Publisher Michael Howell, and Environmental Health Director Lea Guthrie.

Lea Guthrie presented a verbal staff report noting the following: The original gate location will not work so Road Supervisor David Ohnstad is looking at a different access with BRID or

possibly a dirt berm. A list of equipment and operator costs has been put together. There is a fund under DEQ that can be utilized to pay for cleanup. If the county performs the clean up and also pays for the cleanup it would be the responsibility of the county to seek reimbursement from the responsible parties. The Sheriff's Office delivered the cease and desist order, the boundary line has been identified as well as the completion of the survey.

The Board concurred that a dirt berm should be placed instead of a gate, the county can do some work on the canal (grading), have Lea Guthrie work with DEQ obtaining a level of commitment on funding this clean up. Lea will work with Road Supervisor David Ohnstad in order to put an estimate together and share it with DEQ.

► The Board met at 2:30 p.m. to make a decision on the health insurance plan for Ravalli County Employees. Present at this meeting was Human Resource Director Robert Jenni, Ravalli Reporter Whitney Bermes, Deputy County Attorney Howard Recht, Employee Verona Stromberg, Clerk & Recorder Regina Plettenberg and Citizen William Menager.

Robert relayed the employee responses he received about their insurance preferences. Robert's recommendation is to take the high deductible of \$7,500(individual)/\$15,000(family) and the lower deductible plan at \$2,000/\$4,000. **Commissioner Chilcott made a motion to offer the employees Option #3 high deductible (\$7,500/15,000) at no cost to employees (605.99 monthly cost to county) and the renewal of the existing 70/30 plan with lower deductible (\$2,000/4,000) with an increase of 15.375% in premium to the employees (approximately \$130.00 per month).** Discussion is that none of these plans include vision which would cost an additional \$14.32 per employee per month (tiered rate going up with spouse and children). Verona noted the Unum Life amount is not included in any of these rates for employee out of pocket expenses. **All voted "aye". (4-0). Commissioner Chilcott made a motion to continue this meeting until tomorrow, December 20th at 10:00 a.m. in order to obtain the actual rates of increase. Commissioner Kanenwisher seconded the motion and all voted "aye". (4-0)**

► The Board met at 3:30 p.m. for voluntary board appointments. Commissioner Stoltz was now present. Present at this meeting was Citizen William Menager, Bob Cron, Jan Wisniewski and John Ormiston.

- Open Lands Board: no applications received until today.
Commissioner Chilcott made a motion to extend this board application period through the end of January. Commissioner Foss seconded and all voted "aye". (5-0)
- Park Board:
Commissioner Stoltz made a motion to appoint John Conlan for a two year term in District 2. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)
Commissioner Chilcott made a motion to appoint Bob Cron for a term of 2 years as at an large member. Commissioner Foss seconded the motion and all voted "aye" (5-0)
Commissioner Chilcott made a motion to appoint John Ormiston for a 2 year term to District 4. Commissioner Kanenwisher seconded the motion. Commissioner

Stoltz voted "nay". Commissioner Foss, Chilcott, Iman and Kanenwisher voted "aye". (4-1)

Commissioner Kanenwisher made a motion to appoint Bill Clark as the representative for District 3. Commissioner Stoltz seconded the motion for discussion. Discussion was in regard to the location of a project Bill Clark supported. Commissioner Iman and Chilcott voted "aye". Commissioners Kanenwisher, Stoltz and Foss voted "nay". Vote failed. (3-2).

Commissioner Chilcott made a motion to re-advertise District #3 and one At Large position through the end of January. Commissioner Stoltz seconded the motion and all voted "aye" (5-0)

- **Planning Board:**

Commissioner Stoltz made a motion to appoint Jan Wisniewski as the Darby School District Representative. Commissioner Foss seconded the motion and all voted "aye" (5-0).

Commissioner Chilcott made a motion to appoint Quinn Kirkland, Russ and Vito as At Large members. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)

Commissioner Stoltz made a motion to appoint William Menager as the Hamilton School District Representative. Commissioner Foss seconded the motion and all voted "aye". (5-0)

Commissioner Chilcott made a motion to appoint Perry Bielke as the Florence School District Representative. Commissioner Iman seconded the motion for discussion. Discussion: Commissioner Kanenwisher stated he would like more applicants. Commissioner Iman and Chilcott voted "aye". Commissioners Stoltz, Foss and Kanenwisher voted "nay". (Vote failed 3-2)

Commissioner Stoltz made a motion to extend the Florence and Lone Rock application process until the end of January. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)

- **Economic Development Authority (EDA):**

Commissioner Chilcott made a motion to appoint Scott Henderson to the EDA Board replacing a term that ends on July 21, 2014. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)

- **Airport Board:**

Commissioner Stoltz made a motion to appoint Fred Haaskamp to the At Large position. Commissioner Chilcott seconded the motion and all voted "aye". (5-0)

Commissioner Stoltz made a motion to appoint Frank Kucera to the At Large position. Commissioner Foss seconded the motion and all voted "aye". (5-0).

Commissioner Stoltz made a motion to appoint Laurie Kelly as the Alternate member. Commissioner Chilcott seconded the motion and all voted "aye". (5-0).

- **Tax Board and Veterans Burial:**
Due to the lack of applicants, **Commissioner Foss made a motion to extend this application period until the end of January. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)**
- **Weed:**
Commissioner Foss made a motion to appoint Lance Brown. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)
The Board noted they missed their opportunity to interview Tim Tackes by phone at the appropriate time. **Commissioner Kanenwisher made a motion to hold this position open till the end of January which will include another interview time with Tim. Commissioner Stoltz seconded the motion. Discussion: Commissioner Chilcott stated he would not vote for that motion. No vote was taken. Commissioner Chilcott then made a motion to hold an interview with Tim and not re-advertise. Commissioner Foss seconded the motion. Commissioner Stoltz abstained from the vote. Commissioners Iman, Chilcott, Kanenwisher and Foss all voted "aye". (4-0)**

Right to Ranch and Farm:

Commissioner Kanenwisher made a motion to appoint Laurie Garber. Motion died for lack of a second.

Commissioner Stoltz made a motion to appoint Howard Lyons. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)

Commissioner Stoltz made a motion to appoint Jimmy Canton. Commissioner Kanenwisher seconded the motion and all voted "aye". (5-0)

Public Comment: John Ormiston commented about term limits yet not having enough applicants. He also stated if you do not know the applicant such as Perry Bielke, the Commissioner should not vote against him.



REQUEST FOR COMMISSION ACTION

OG-11-12-392

Meeting: December 19, 2011 @ 10:30 a.m.

Request: To act on the request for a **Revocation of an Agricultural Covenant**

I. Action Requested

This is a request from Gary & Joni Palmer to remove an agricultural covenant in conjunction with the filing of an aggregation survey.

II. Background

- The Palmers own two adjoining Parcels on Phillips Street containing approximately 8.5 acres East of Stevensville. The property is surrounded by Stevensville School property and Montana Rail-Link Property.
- Tract 1B of Certificate of Survey #3480 is encumbered by an agricultural covenant. Agricultural covenants are intended for parcels that will be used only for the production of livestock or agricultural crops and no residential, commercial, or industrial buildings, which require water or sewer.
- The Ravalli County Subdivision Regulations allow for the revocation of an agricultural covenant through the subdivision review process.
- In a memorandum dated March 30, 2009, Deputy County Attorney Daniel Browder stated that because of the unique circumstances of this kind of proposed combined transaction (aggregation and revocation), and because the Planning Department has concluded that this type of transaction will not result in a separate unencumbered parcel, the County Attorney's Office advises that the Planning Department request that the BCC remove the agricultural covenant without undergoing subdivision review.
- Ravalli County has previously approved a Subdivision Exemption Application (SEA-11-09) to aggregate the two lots.

III. Recommended Motion

That the requested revocation of agricultural covenant on Certificate of Survey #3480 as filed in Book 169, Page 462 and the portion of Book 160, pages 621 & 622 contained in Tract 1B of COS 3480 be approved, so long as the Palmers file the previously approved aggregation in conjunction with the revocation of agricultural covenant.

Enc: Revocation Request

Staff: Terry Nelson

Date: December 9, 2011