

COMMISSIONERS APPROVAL

KANENWISHER 

FOSS

CHILCOTT 

IMAN 

STOLTZ 

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

Date.....January 31, 2012

► Minutes: Glenda Wiles

► The Board met at 9:05 a.m. to discuss and make a decision on contracting snow plowing and certain maintenance on the bike/pedestrian pathway along Highway 93 from Florence to Hamilton. Present at this meeting was Deputy County Attorney Dan Browder. Commissioner Iman gave an update on how the county came to be responsible for maintenance as well as certain requirements under the authority of the Department of Transportation. Dan Browder discussed the multiple current signed agreements with Montana Department of Transportation and the possibility of combining them into one agreement with some language amendments which the Board concurred.

Due to liability issues as well as the need to handle the snow plowing for the balance of the season, the Board agreed to have Commissioner Iman work with Dan Browder on the use of the truck purchased by the Park Board for this purpose, possible contract for service or use of a county employee for this purpose.

► The Board met at 9:45 a.m. for various administrative matters as follows:

- Hayes Subdivision 3-year extension request - **Commissioner Chilcott made a motion to grant this 3-year extension noting no changes in the subdivision such as the number or size of lots. Commissioner Stoltz seconded the motion and all voted "aye". (4-0) Commissioner Foss was not present for this vote.**
- Credit Card for Road Employee Danielle Senn - **The Board concurred to issue a credit card for Danielle Senn for \$2,000.**
- Change Orders for the Road Shop rehabilitation - As presented from the Project Manager Sam Oliver, increases and decreases to this project for Change Orders 1-6. **Commissioner Iman made a motion to accept these change orders for a total addition to J5 Contract in the amount of \$2,470.00 and to pay the regular invoice to J5 in the contracted amount of \$50,000. Commissioner Foss seconded the motion. Discussion included obtaining the hard costs for change order #5. Commissioner Iman concurred and made a motion to amend his original motion to pay all the**

change order with the exception of Change Order #5. Commissioner Foss seconded the motion and all voted "aye". (5-0). Commissioner Chilcott made a motion to pay Change Order #5 if the Insurance Company approves this payment. Commissioner Foss seconded the motion and all voted "aye" (5-0). Commissioner Iman made a motion to have the chair sign the change orders. Commissioner Foss seconded the motion and all voted "aye" (5-0).

- Pay request for Intoxilizer Room Addition - As presented from the Project Manager Jeff Crouch of CTA Architects in the amount of \$5,737.05. Commissioner Chilcott made a motion to pay J5 Construction the amount of \$5,737.05. Commissioner Iman seconded the motion and all voted "aye". (5-0).
- December 2011 minutes - Commissioner Chilcott made a motion to approve the minutes of December 2011 as corrected. Commissioner Stoltz seconded the motion and all voted "aye". (5-0)
- Commissioner Reports - Commissioner Stoltz presented information on the Montana Aeronautics meeting he attended in Helena. Commissioner Kanenwisher discussed the Mental Health Grant which assists the Crisis Stabilization Facility. Commissioner Kanenwisher gave a brief update on road department issues. Commissioner Chilcott addressed the recent RC&D meeting he attended which addressed the potential closure of the Agricultural Research Center in Corvallis. Commissioner Iman addressed the Commissioners giving support in keeping this research center operating.

▶ The Board met with Human Resource Director Robert Jenni at 10:30 a.m. for an update.

▶ The Board met with Chief Financial Officer Klarryse Murphy at 10:45 a.m. for an update.

▶ The Board met for an update and possible decisions on the Snyder Lane dump site at 11:10 a.m.. Present at this meeting was Environmental Health Director Lea Guthrie, Deputy County Attorney Dan Browder and Road Staff Jim Bryan. Lea Guthrie indicated Montana Department of Environmental Quality has agreed to allow the expenditure of up to \$15,000 of funds from the State of Montana's Environmental Rehabilitation and Response Act (ERRA). Jim Bryan stated the road department can perform this clean up but the timing of the cleanup will be weather dependant. **Commissioner Iman made a motion to accept the state offer and proceed with the use of county equipment and labor to complete this project within 6 months. Commissioner Chilcott seconded the motion and all voted "aye". (5-0)**

Dan Browder addressed the enforcement issue and repayment by the adjoining landowners responsible for this illegal dump which might include an action against those landowners for monetary payment or easement dedication. Dan stated this will be a civil action with the county or state being the plaintiff in any court action. **The Board concurred Commissioner Chilcott and Dan Browder will visit with the County Attorney and make sure that office has enough resources to handle the enforcement.**



## REQUEST FOR COMMISSION ACTION

OG-12-01-19

BCC Meeting: January 31, 2012 – 9:30 AM  
Subject: Preliminary Plat Approval Period Extension Request

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### I. Action Requested

This is a request from Steve Powell representing Sallye Hayes to grant a three-year extension to the preliminary plat approval for the Hayes Subdivision.

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### II. Applicable Regulations

Ravalli County Subdivision Regulations Section 3-2-9(f) gives the Board of County Commissioners (BCC) the authority to grant a one-year extension to the preliminary plat approval period. Additionally, passage of House Bill 522 gives the BCC authority, if mutually agreed upon with the subdivider, to grant an unlimited number and duration of preliminary plat approval period extensions. (76-3-610 MCA)

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### III. Background

- The Hayes Minor Subdivision was conditionally approved by the BCC on July 13, 2009.
- The Preliminary Plat Decision was mailed to the subdivider on August 17<sup>th</sup>, 2009, initiating the 18-month preliminary plat approval period.
- The preliminary plat approval period for the Hayes Subdivision expires on February 17, 2011.
- A request for a one year extension was requested and granted on February 1, 2011.
- The request for extension states that the real estate market and the required fees associated with the subdivision approval are preventing the completion of the subdivision at this time.
- If the BCC were to grant the extension request the preliminary plat approval period would be extended to February 17<sup>th</sup>, 2015.

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### IV. Planning Staff Recommendation

The Planning Department has reviewed the request and recommends that the BCC grant a three-year extension to the preliminary plat approval period for the Hayes Subdivision.

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Attachments: Extension Request  
Staff: Terry Nelson  
Date: January 25<sup>th</sup>, 2012  
Cc: Sallye Hayes, Powell Surveying, Inc, Subdivision File

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