

JEFFERSON COUNTY COMMISSIONERS
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ROBERT MULLEN, CHAIR

LEONARD WORTMAN

CORY KIRSCH

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
April 26, 2016**

Present: Commissioners Mullen, Wortman and Kirsch; Steve Haddon, County Attorney; Jerry Grebenc, County Planner; Tom Harrington and Micky Zucker, JLDC; John Kountz, Ken Vivrette, Paul Backlund, Erin DeBorde, Isaac Stevenson, Duane and Sue Schaff

The meeting was called to order and opened with the Pledge of Allegiance.

MINUTES

Commissioner Wortman moved to approve the minutes of March 15. Commissioner Kirsch seconded. The motion carried.

CORRESPONDENCE

Commissioner Mullen noted the receipt of the signature page from an interlocal agreement with the Forest Service.

Commissioner Mullen noted the receipt of the contract with Golden Eagle Construction for the bleacher cover at the fairgrounds. The contract was signed.

CALENDAR REVIEW

- 4/27 MDC Transition Advisory Committee - 9:30
Fire Council - Jefferson City - 6:30
- 4/28 MACo budget committee - Helena - 10:00
Survey review - 1:30
RMDC board meeting - Helena - 3:00
Planning training - 6:00
- 5/2 Whitehall office hours
Meeting with Bill Lloyd - 12:30

COMMISSION REPORTS

Commissioner Kirsch reported that on Tuesday night he attended the DUI Task Force meeting in Whitehall, which was held in the new Sheriff space in Bordens. There are concerns with the upcoming Headwaters Country Jam concert.

Commissioner Kirsch reported that on Wednesday he attended the Boulder Senior Center lunch and monthly business meeting. He and Commissioner Mullen talked to them about starting a transportation program, which got mixed reviews.

Commissioner Wortman reported that on Tuesday night he attended the fair board meeting. They discussed the fair and projects that they would like to complete on the fairgrounds.

Commissioner Wortman reported that on Wednesday he attended a JLDC meeting and workshop. They discussed current projects and discussed the possibility of having another part-time person that would be located mainly in Boulder to work on projects. There are a lot of projects that need to be gotten to the development stage, to be ready for the upcoming legislature.

Commissioner Mullen reported that he was in Great Falls yesterday for the Center for Mental Health board meeting. The financials seem to be improving.

PUBLIC COMMENT

Ken Vivrette asked when we will have a new county planner. Commissioner Kirsch stated that we have offered the position to a person from Lake County and she has accepted. However, she recently lost a staff person in her office, so she was going to talk to her Commissioners this week to set up a time line. He stated that it will hopefully be no more than a month out.

Recess Commission meeting.

SUBDIVISION REVIEW

Commissioner Mullen called to order the meeting of the Zoning Commission.

ZONING APPEAL - ERIN & JEREMY DEBORDE

Jerry Grebenc, County Planner, stated that he was approached by Erin and Jeremy DeBorde regarding the possibility of putting a third dwelling on their property for a family member in need of medical care. Their property lies within the R-4 zoning, which stipulates 10 acres per dwelling. There are currently two dwellings on their 25 acre parcel, so he made the decision that their request didn't meet the zoning requirements. The landowner has decided to appeal the decision and have paid the fees. Jerry stated that the adjacent landowners were notified by mail and a notice was placed in the *Boulder Monitor* and the *Independent Record*.

Erin DeBorde stated that she was there with here father. It is for him and his wife, who is battling cancer, that they wish to build an additional house on their property. They would be very grateful if a variance were an option.

Commissioner Wortman asked for clarification of the zoning regulations, and if guest homes are permitted. Jerry stated that the two houses currently on the property comply with the zoning, and if the parcel was 30 acres, building a house for the parents would be fine. Commissioner Wortman noted that 3.3.4.2, examples of conditional uses, it lists a dwelling for family hardship. Jerry stated that the regulations seem to conflict with each other, so the question becomes do you follow density standards or conditional uses; he has no clear-cut answer. The appeal process is meant to allow the Commissioners to review everything and have the latitude to make the decision if they disagree with the determination.

Sue Schaff stated that she lives just north of the property and asked if they plan to drill another well. Erin stated that it would require another well and septic. Sue stated that water is an issue on Sawmill Road; they stopped another subdivision that was proposed up there due to water issues. If this goes through, there would be problems with the other property owner.

Duane Schaff stated that they have a neighbor that is drawing at 1.5 gallons-per-minute; they can't flush the toilet and make coffee at the same time. Erin stated that they have a very good well, and stopped measuring at 25 gallons-per-minute.

Sue Schaff stated that another neighbor is currently in California, Christine and Mike Enderes, and they also have concerns.

The Commission is not ready to make a decision on this at this time. This will be placed on a future agenda, and they will continue to take comment. The Zoning Commission meeting adjourned.

Commissioner Mullen reconvened the Commission meeting.

FINAL PLAT REVIEW - AMENDED PLAT - SPRING CREEK VALLEY MINOR LOTS 1, 2, AND 3

Jerry stated that this is an amended plat of the Spring Valley Minor Lots 1, 2, and 3, which are owned by the Jefferson Local Development Corporation. The issue at hand is that the lots were initially labeled commercial and industrial lots; the amended plat would simply remove the designation of the lots as commercial and industrial. He recommended that the amended plat be approved.

Commissioner Wortman moved to grant approval to the amended plat. Commissioner Kirsch seconded. The motion carried.

ITEMS FOR COMMISSIONERS' ACTION OR REVIEW

PUBLIC HEARING - TSEP GRANT APPLICATION

Commissioner Mullen called the hearing to order and read a resolution authorizing the submission of the TSEP application to the Department of Commerce as follows:

RESOLUTION 08-2016

RESOLUTION TO AUTHORIZE SUBMISSION OF TSEP APPLICATION

WHEREAS, Jefferson County is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to replace the Hot Springs Road Bridge over Big Pipestone Creek; and

WHEREAS, Jefferson County has the legal jurisdiction and authority to construct, finance, and maintain the proposed bridge improvement; and

WHEREAS, Jefferson County agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual.

NOW, THEREFORE, BE IT RESOLVED, that Jefferson County commits to provide the amount of matching funds as proposed in the TSEP Application.

BE IT FURTHER RESOLVED that Bob Mullen, Jefferson County Presiding Member, is authorized to submit this application to the Montana Department of Commerce, on behalf of Jefferson County, to act on its behalf and to provide such additional information as may be required.

DATED this 26th day of April, 2016.

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

CORY KIRSCH, COMMISSIONER

Commissioner Mullen called for comment.

John Kountz stated that he hopes that something will be done with the Hot Springs Bridge. This is not just his issue; it is an important commerce bridge. A lot of people use that road to come from Madison County to get to the interstate and people use it when they get gravel from the Conda Mine.

Hearing no further comment, Commission Mullen closed the public hearing.

Commissioner Wortman moved to adopt the resolution. Commissioner Kirsch seconded. The motion carried.

APPOINT ELECTION JUDGES

Commissioner Wortman moved to approve the list of election judges submitted by the Clerk and Recorder (on file in the Clerk and Recorder's office). Commissioner Kirsch seconded. The motion carried.

DISCUSS AND DECIDE ON FACILITY CONSTRUCTION ISSUES

Commissioner Wortman stated that they think it will be sometime in June before they start construction of canopy at the fair grounds; they have materials ordered and then it will need to be fabricated. Commissioner Mullen asked about the estimated construction time. Commissioner Wortman stated that they have to be completed by the first part of August.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

