

**STILLWATER COUNTY
COMMISSIONER MINUTES**

Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

**REGULAR MEETING
AUGUST 1, 2017**

- Present:** Commissioners Dennis Shupak, Chair; Maureen Davey and Mark Crago, Members; and Lori Dobitz, Administrative Assistant.
- Others Present: Richard Sidwell, Carol Arkell, Fire Warden; Jen France; Joe Morse, Finance Specialist; Nancy Rohde, County Attorney; Forrest Mandeville, Planning; Scott Aspenlieder; Coralee Hicks; Jerry Friend, Treasurer; and Mikaela Koski, Stillwater County News.
- Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Minutes:** Commissioner Crago **MOVED** to approve the minutes of June 8, 2017. Commissioner Davey **SECONDED**. Motion passed unanimously.
- Claims:** Commissioner Crago **MOVED** to approve claims no. 98109 - 98181 in the amount of \$197,801.89. Commissioner Davey **SECONDED**. Motion passed unanimously.
- Recognition:**
1. Employee recognition for public service:
 - a. Cole Waltner - Deputy Sheriff - 10 years
 - b. Joe Morse, Finance Specialist - 15 years
- The Commissioners thanked both employees for their years of loyal service to Stillwater County.
- Consent Agenda:**
1. DES GRANT - Hazard Mitigation Grant Award Notice
 - a. Appoint Carol Arkell as applicant agent
 - b. Generator Project funding commitment letter
- File items:**
1. DEQ - General Permit - Sand and Gravel Operations Public Notice MT-17-15
 2. Treasurer - Cash and Investments report for month ending June 30, 2017
- Commissioner Davey **MOVED** to approve the consent agenda and place the file items to file. Commissioner Crago **SECONDED**. Motion passed unanimously.
- Special Issues:**
1. 2017 Fire Season - Carol Arkell, Fire Warden, briefed the Commission on 2 wildland

fires that occurred over the week-end. She recommended remaining in Stage I Fire Restrictions and keep the burn permit system shut down. The Commissioners concur with the recommendations. Carol informed those present that on July 29, 2017, the Commissioners met in an emergency meeting and adopted **Resolution 2017-40** declaring a Fire Emergency and requested state assistance from DNRC for fire suppression on the 417 Fire located on Interstate 90.

2. Stillwater River Road Rock Slide

a. updates - Commissioner Crago gave the commission updates on the slide project and the scaling process. He reminded the public to stay clear of the area while boulders are being removed. Commissioner Davey stated she received an email from an out-of-state person criticizing the commission for taking so long with the project. State and federal agencies involved in the project numbered approximately 12-15 different agencies to obtain grants and funding and that is a big part of the reason that this has taken so long she said. She said she appreciates the patience of those affected.

b. Shannon and Wilson proposal for Phase 5 Design Services, Rock reinforcement and Rockfall Mitigation. Commissioner Crago **MOVED** to approve the proposal. Commissioner Davey **SECONDED**. Motion passed unanimously.

Regular Business:

1. Planning Department

a. Horseshoe Hills Subdivision - Revisited - Revised Final Plat Documents. Forrest Mandeville, Contract Planner, stated the Commission, on June 13, 2017, approved the final plat for Horseshoe Hills Subdivision which included a SIA and Fire Prevention and Control Plan (FPCP) showing building envelopes on each lot and attached to the SIA and Covenants. He said the final subdivision was ready to be filed at that time, however, the applicant changed and re-submitted the final above mentioned documents requiring further commissioner review and action. He said it is his opinion that the applicant can file the subdivision as approved June 13, or amend the application materials only if the commission determines the alterations still meet the conditions of approval and are not material. It is his recommendation that the Commission deny the request. The question comes up if the changes to the FPCP are material or not. He said if they are material they would have to go back through the subdivision process and if they are in-material then they could be filed as is. Nancy Rohde, County Attorney, agrees with the planner that Condition No. 10 that was set forth has not been met with the proposed amendments and the SIA and the Fire Plan; and the building envelopes and several other changes in the FPCP, are in her opinion as she advises the commission, are material in nature

Following a lengthy discussion, Commissioner Davey **MOVED** to **deny** the request as recommended by the Contract Planner. Commissioner Crago **SECONDED**. Motion passed unanimously. Filed in the Clerk & Records Office - Document No. 369513.

2. Finance Office

- a. Resolution - Budget Amendment Gas Tax Fund additional expenditures
Commissioner Davey **MOVED** to adopt **Resolution 2017-41** amending the 2016-2017.
Commissioner Crago **SECONDED**. Motion passed unanimously.

Public Comment:

1. Jerry Friend, Treasurer - briefed the commission on new and updated laws regarding tax liens and assignments - referencing HB 18 (Revise tax lien and tax deed laws).

Meeting Adjourned:

Hearing no further business, Commissioner Shupak adjourned the meeting at 9:34 AM.