

## STILLWATER COUNTY COMMISSIONERS 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 DECEMBER 8, 2015

**Present:** Commissioners Dennis Shupak, Chair; and Gerald W. Dell, Member; Lori Dobitz, Administrative Assistant. Others Present: Tonya House, Wesley House, Heidi Stadel, clerk & Recorder; Mark Schreiner, Road Superintendent; Monica Plecker, CTA Contract Planner; Tom Kelly, North Star Land Surveyor; and Rick Hanners, Stillwater County News. Commissioner Davey was absent attending a Northwest Presidents and Executives Meeting in Boise, ID.

**Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.

**Public Comments:** No comments were heard.

**Minutes Approval:** Commissioner Dell **MOVED** to approve the minutes of the Public Hearing on September 29, 2015. Commissioner Shupak **SECONDED**. Motion passed unanimously.

**Special Issues:** Stillwater River Road Rockslide: Commissioner Dell gave a summary of the kick-off meeting held between Kami Deputy, Engineer, Shannon and Wilson, and the Rockslide Committee on Wednesday, December 2, 2015. He said Ms. Deputy visited the rockslide area two days last week and said she would have 2-3 options to the Commission no later than December 22-23, 2015. These options will be recommendations for a solution to the problem. He said on November 30, 2015, an update was sent out to all those on the email list that live in the rockslide area.

#### **Regular Business:**

1. Planning - Monica Plecker, CTA Contract Planner, presented the Rafter H Minor Subdivision Preliminary Plat. Northstar Land Services, Thomas Kelly, on behalf of Tonya House, has submitted this proposed five (5) lot subdivision is located on Quarry Road. The site is approximately 9.353 acres in size and is described as NE1/4 of Section 21, T2S, R20E, MPM. Ms. Plecker said the City-County Planning Board reviewed the subdivision at their November 24, 2015, meeting and subsequently recommended the preliminary plat approval with nine (9) conditions, subject to the subdivision improvements agreement (SIA) and having considered the dry hydrant and fire suppression issue. She said there was a lengthy discussion on fire hydrant requirements. She said the subdivision regulations call for hydrants to be placed in subdivisions with four or more lots and because of the proximity of where this subdivision is located, there is a hydrant from the City of

Columbus that is 3/10 of a mile away. She said after having discussion with the Fire Chief and the City-Planning Board, they determined that because the City of Columbus has in place a MOU (memorandum of understanding) with the Fire Department to allow their municipal water to be hauled to fight fire outside of city limits. She said they felt like they were considering the welfare of the potential residents on those lots and that fire could be better served through that hydrant. Ms. Plecker said the applicant has also submitted a letter requesting the County Commission reconsider the road paving requirement the Planning Board recommended as part of the SIA. She said in the subdivision regulations, for a minor subdivision, the regulations state that a 50 foot apron has to be provided off of a paved road. She said it would be a higher standard to ask the developers to pave the roads in the subdivision. Monica Plecker proceeded to review each of the nine conditions of approval. Tom Kelly, North Star Land Services, said he is good to go with what the commission recommends on the fire issue. As far as paving goes, he said while putting together the SIA, he inadvertently said the roads would be paved instead of doing a 50 foot apron. Kelly said everything has been submitted, zoning applications and DEQ applications.

Commissioner Dell, for the record, read a letter dated December 12, 2015, from Tonya to the Commissioners. In the letter, Ms. House is requesting a change in the conditional approval recommendation by the City-County Planning Board. The request for change is in the SIA under Sec. III Transportation, Item B. Item B states that the roads will be paved. Ms. House is requesting the roads comply with the subdivision regulations in that a paved approach be installed and the private roads meet the standards for gravel.

Mr. Kelly inadvertently put the paving requirement into the SIA under Item B and neither she or Tom Kelly caught the error prior to subdivision submittal and thanked the commission for their consideration.

Following discussion regarding the paving, Monica Plecker said the current Stillwater County Subdivision Regulations say they only need to provide a 50 foot paved apron and because it is a minor subdivision, the rest of the roads can be graveled. She knows the City-County Planning Board recommended more than that, however, it really became a product of a much larger problem in that area which is that we are not adequately addressing the needs of that area through our existing regulations. She thinks these are two separate issues, and if they do the 50 foot paved apron then they are meeting the subdivision regulations.

Commissioner Dell **MOVED** to conditionally approve Rafter H Minor Subdivision Preliminary Plat with the nine (9) conditions recommended by the City-County Planning Board; amend the SIA Sec. III Transportation 3(b) allowing a 50 foot paved apron to be constructed instead of paved roads, and the roads inside the subdivision be graveled. Commissioner Shupak **SECONDED**. Motion passed.

2. Road Department - Caterpillar Financial Services Lease/Purchase Documents and Resolution 2015-42 for Transaction Number 2757016 Equipment Lease-Purchase Agreement Documents with CAT Financial Services (Lessor) for (1) new 962M CAT Loader. Mark Schreiner, Road Superintendent, said this lease/purchase agreement is to replace the John Deere 624 loader which has a couple of frame cracks and has not been in service. This will be traded in to CAT Financial

Services for the new 962M CAT Loader. Schreiner said this will bring his fleet back up.

Commissioner Dell **MOVED** to approve and execute the lease/purchase documents for the CAT Financial Transaction Number 2757016 for the new 962M CAT loader, and adopt **Resolution 2015-42**, a resolution to lease, purchase, and/or finance road loader. Commissioner Shupak **SECONDED**.

Discussion - Commissioner Dell agreed with Mark Schreiner saying we are in dire need of a loader. The one that we are trading in has major problems and we need to get our fleet back up to where we can operate efficiently, Dell said.

Vote - Hearing no further comments, Commissioner Shupak called for a vote. Motion passed. Resolution 2015-42 is filed with the Clerk & Recorder, document no. 364086.

### **Consent Agenda**

1. Western Federal Lands Highway Division - West Rosebud Creek Road Reconstruction - Design Standard concurrence.

### **File Items**

1. Reports - Fees collected and reported for the month ending November 30, 2015.
  - a. Justice Court - \$ 10,323.75
  - b. Clerk & Recorder - \$ 5,318.10
  - c. Sheriff - \$600

Commissioner Dell **MOVED** to approve the Consent Agenda and place the file items to file. Commissioner Shupak **SECONDED**. Motion passed.

**Meeting Adjourned:** Hearing no further business Commissioner Shupak adjourned the meeting at 9:35 AM.