



Gallatin County, Montana

311 West Main Street, Bozeman, MT 59715



Gallatin County Commission Meeting Minutes November 5, 2008

Description Gallatin County Commissioners' Journal No. 50 November 5, 2008

Date 11/05/2008 Location County Commission

Time Speaker Note

1:46:01 PM Chairman Murdock Call to Order, Moment of Silence, Pledge of Allegiance. Present were Commissioners Murdock, Skinner, and White, Deputy County Attorneys Jecyn Bremer and James Greenbaum, and Acting Clerk to the Board Veniece Lindemulder. The meeting was held at Bozeman City Hall.

1:47:13 PM Deputy County Attorney Jecyn Bremer Announcement regarding change in location from the Courthouse Community Room to Bozeman City Hall Meeting Room because the County Elections Department was still using the Community Room to count ballots from the November 4, 2008 election.

1:48:47 PM Chairman Murdock There was no public comment on any matters within the Commission's jurisdiction.

1:49:08 PM Commissioner White Read the Consent Agenda as follows: 1. Approval of Claims, 2. Approval of Meeting Minutes from September 30, October 1, 7, 8, 14, 21, 22 and 28, 2008, 3. Approval of Budget Transfer within the Rest Home Department (\$400), 4. Approval of Asset Trade-In of 2000 Ford Crown Victoria, 5. Decision on Common Boundary Relocation Exemption from Subdivision Review Request for Moran, 6. Decision on Common Boundary Relocation Exemption from Subdivision Review Request for Stilwill.

1:50:08 PM There was no public comment.

1:50:16 PM Commissioner Skinner I'll move to approve the consent agenda as read into record.

1:50:20 PM Commissioner White Second

1:50:23 PM Motion passed unanimously.

1:50:27 PM Chairman Murdock Receipt and Opening of Bids for the Construction of an Equipment Storage Building

1:50:45 PM Road and Bridge Superintendent Lee Provance Opened the following bids: Rotherham Construction, Inc. \$87,281.05, Spring Corp. \$113,500.00, RMR Group \$97,102.00, TR Cowdrey Construction \$97,935.00, Shea Homes Inc \$103,830.00, Kovash Construction \$112,541.00, Kruse Enterprises \$72,379.00, Fraser Inc. \$118,250.00, and Eichner Builders Inc. \$138,500.00.

1:58:01 PM There was no public comment.

1:58:16 PM Chairman Murdock Bids have been taken under advisement and will return next week with a recommendation.

1:58:25 PM No action taken.

1:58:28 PM Chairman Murdock Board Appointments

1:58:35 PM Commissioner Skinner Gallatin County/Bozeman Area Board of Adjustment

1:59:05 PM There was no public comment.

1:59:17 PM Commissioner White I'd make a motion to appoint Mr. Lien and Mr. East.

1:59:21 PM Commissioner Skinner Second

1:59:28 PM Board discussion

2:00:00 PM Planning Director Greg Sullivan Comments

2:00:15 PM Motion passed unanimously.

2:00:22 PM Commissioner White Pogreba Field Joint Airport Area Affected Regulation Board

2:01:17 PM There was no public comment.

2:01:23 PM Board Discussion

2:01:45 PM Commissioner White I would make a motion to reappoint Mr. Fairhurst.

2:01:49 PM Commissioner Skinner Second

2:01:52 PM Board Discussion

2:01:59 PM Motion passed unanimously.

2:02:02 PM Commissioner Skinner I would move to reappoint Mr. Stockburger.

2:02:07 PM Commissioner White Second

2:02:10 PM Motion passed unanimously.

2:02:15 PM Chairman Murdock Community Development Block Grant

2:02:52 PM There was no public comment.

2:02:56 PM Board Discussion

2:03:18 PM Chairman Murdock I'll move that we appoint Deb Wahlberg.

2:03:20 PM Commissioner Skinner Second

2:03:29 PM Motion passed unanimously.

2:04:08 PM Chairman Murdock Public Hearing and Decision on a Resolution of the County Commission Adopting

the Gallatin County Public Records Policy 2008

2:04:23 PM Deputy County Attorney James Greenbaum Presentation

2:05:13 PM Public Comment County Administrator Earl Mathers

2:07:17 PM Discussion between the Commission, Earl Mathers and James Greenbaum.

2:11:58 PM Commissioner Skinner Move to approve Resolution #2008-134 realizing that it will take steps to implement and to enforce.

2:12:11 PM Commissioner White Second

2:12:17 PM Motion passed unanimously.

2:12:31 PM Chairman Murdock Public Hearing and Decision on a First Reading of an Ordinance for Seasonal Closure on Forswall Road

2:12:52 PM Deputy County Attorney James Greenbaum Comments, read Ordinance #2008-009 into record.

2:17:12 PM Discussion and Questions. Added language under "Purpose. The purpose of this Ordinance is to reduce vehicular traffic at times when Forswall Road's North-South section..."

2:19:38 PM There was no public comment.

2:19:57 PM Commissioner White I would make a motion to approve Ordinance #2008-009 as amended.

2:20:06 PM Commissioner Skinner Second

2:20:10 PM Board Discussion including James Greenbaum.

2:20:41 PM Motion passed unanimously.

2:20:53 PM Chairman Murdock Public Hearing and Decision on the Morgan Family, LLC Gravel Pit Conditional Use Permit to Comply with the Gallatin County Interim Zoning Regulation for Operations that Mine Sand and Gravel or Operations that Mix Concrete or Batch Asphalt

2:23:27 PM County Planner Tom Rogers Staff Report, submitted correspondence labeled Exhibit A, Item #5.

Correspondence labeled Exhibit B, Item #5 was received as an e-mail during the meeting.

2:41:54 PM Discussion between the Commission, Tom Rogers and Planning Director Greg Sullivan. Suggests changing the first two sentences in condition #15 to read: "Prior to commencing active mining operations, Applicant shall install at least two off-site monitoring wells in locations to be determined by consultation with Gallatin County to monitor for groundwater quality and groundwater depth. Applicant shall collect adequate baseline data in said wells prior to commencing active mining operations and shall monitor groundwater quality and groundwater depth on no less than a monthly basis during the course of the operation."

2:49:23 PM Bob Lee, Morrison-Maierle, Inc. Presentation on behalf of applicant TMC, Inc. and landowners Morgan Family, LLC.

2:51:19 PM Discussion between the Commission, Bob Lee and Jerry Rice, General Manager of TMC, Inc.

Suggests adding the word "or" to the third sentence in condition #26 after (Ldn) and suggests changing condition #37 to read: "The Applicant, in consultation with each adjacent landowner and any landowner with a residence within 1500 feet of the boundaries of the operation whose property is located to the north, south, and east of the operation, shall make a best effort to create and implement a vegetative buffer plan that visually screens all phases of the operation from view of each applicable residence."

3:23:52 PM Public Comment Jane Ward, submitted correspondence labeled Exhibit C, Item #5, Betty Conard, Jim Brown, submitted correspondence labeled Exhibit D, Item #5, Dewitt H. Ward, submitted correspondence labeled Exhibit E, Item #5, Paul Shennum, Carol Lee-Roark, Debra Wahlberg, Ivone Van Noy on behalf of Paul & Marilyn Stanley, Glenna DeRham, Sue Karski, and Jerry Rice, General Manager of TMC, Inc.

4:05:46 PM Bob Lee, Morrison-Maierle, Inc. Rebuttal on behalf of applicant.

4:10:36 PM Discussion and Questions

4:14:05 PM Board Discussion including Deputy County Attorney Jecyn Bremer

4:16:57 PM Commissioner Skinner I'll move to approve the Morgan Family gravel pit CUP with staff-suggested conditions, with the amendments from the Planning Board, with the amendments from the planning staff October 31, 2008 memo including the changes to conditions #23, #25, condition #26 to insert the word "or" as suggested by the applicant, and in condition #37 to make the changes suggested by the applicant, and condition #15 to add the sentence "groundwater depth" as suggested by the planning staff.

4:17:57 PM Commissioner White Second

4:18:06 PM Board discussion/Findings including Jecyn Bremer, Tom Rogers and Jerry Rice

4:49:12 PM Motion passed unanimously.

4:49:40 PM Meeting adjourned.