

**SUBDIVISION MEETING**  
**June 9, 2005**

Chairman Ed Tinsley called the meeting to order at 9:00 a.m. Commissioner Murray is present. Commissioner Varone is absent attending another meeting out of town. Others attending all or portion of the meeting include Ron Alles, Cheryl Green, Captain Dave Rau, Janet Pallister, Nancy Everson, and Carole Byrnes.

**Pledge of Allegiance.** Everyone recited the Pledge.

**Consent Action Items.**

**Commercial Lease Renewal Agreement:** (Ron Alles) County Lead Abatement Program to lease office space from Edward Jirsa in the amount of \$550 per month. Commissioner Murray moved to approve the consent agenda and authorize the chair to sign. Commissioner Tinsley seconded the motion and it carried 2-0.

**Resolution Requesting The Department Of Revenue To Remove Certain Personal Property Taxes Rendered Uncollectible By Bankruptcy Court Action For the Total Amount Of \$5,523.99 and Bankruptcy Court Settlement Agreement Between Lewis & Clark County and Kmart Corporation in the amount of \$11,444.39 for 2001 Property**

**Taxes.** (tabled from 06/02/05) Cheryl Green reported: Kmart filed bankruptcy. Three claims were filed with the bankruptcy court. 1) Claim on the building because Kmart does not own the land 2&3) Claims on personal property. They paid for the building itself so there is no business with that today. The other 2 are personal property. On one of the claims Cheryl asked for \$15,220.30. The claim went in late so the bankruptcy court would not accept it. However, Kmart has offered to pay 50% of total, which included penalty and interest. Kmart is offering 50% of total \$2,167.38 = 1,083.69, which is the write off.

The other claim was on \$15,223.30, which included penalty and interest. The base amount was \$14,801. The Bankruptcy Court is asking the county to accept 70% = \$10,360.70. The write off is in the amount of \$4,440.30. The total on the resolution to be written-off is \$5,523.99. Three copies of the agreement need to be signed and given to Kmart.

Commissioner Murray stated that this filing under the Kmart name was a national bankruptcy filing Chapter 11, not the local Kmart on Cedar Street. He wanted to assure the viewing public that they do not associate this national bankruptcy with a local bankruptcy from Helena's Kmart. Commissioner Murray then moved to approve the resolution and authorized the chair to sign the resolution and the agreement with the national Kmart Corporation. Commissioner Tinsley seconded the motion and it carried 2-0.

**Proposal For Early Approval Of 3 Additional Detention Officers In The Public Safety**

**Fund.** Captain Dave Rau reported the newly hired employees will be paid in FY06 budget. Commissioner Murray moved to approve the request pending passage of the budget by Lewis and Clark County. Commissioner Murray moved pending passage of the budget we authorize the early hiring of 3 detention Officers. Commissioner Tinsley seconded the motion and it carried 2-0.

**Request for Increase in FY05 Budget Authority for Fuel Revolving Fund in the Amount of**

**\$36,150.** Janet Pallister reported the fuel revolving budget is anticipated to be over budget by \$36,150 due to increase in unleaded fuel and dyed diesel fuel some county departments. (It's raised 14 cents per gallon more than estimated). Staff recommends approval to increase the gas and oil line item by \$36,150 and revenues received from users will offset the expenditures.

Commissioner Murray moved to approve the request. Commissioner Tinsley seconded the motion and it carried 2-0.

**Resolution of Intention to Decrease the Scratch Gravel Solid Waste Assessment Rate from \$73 to \$69.50 Per Year.**

Janet Pallister reported the Board of Directors of the Solid Waste District voted to decrease the assessment rate from \$73.00 to \$69.50. This is the third year in a row that this assessment has decreased. The rate decrease is possible because of the creation of the Pay As You Throw program. The assessment rate is no longer subsidizing customers that produce larger amounts of solid waste. The board wants to leave the rate of \$69.50 to encourage the community decay program within the county by setting aside \$2.50 per assessment be set aside for the program to enforce the ordinance. Staff recommends approval of the resolution and to set a public hearing date for July 12, 2005. Ron Alles stated that a similar proposal is being considered for the Lincoln Solid Waste District. Commissioner Murray moved to approve the resolution and authorize the chair to sign and set the public hearing for July 12, 2005. Commissioner Tinsley seconded the motion and it carried 2-0.

**Adoption Of Fiscal Year 2006 Preliminary Budget.**

Nancy Everson we are here today to adopt the Preliminary Budget. This is one of the steps in the process. Today is to adopt the preliminary budget, next it goes to public hearings, which have been scheduled for June 23, 2005 at 9:00 am at the regularly scheduled public meeting and also in the evening at 5:30 in the Commission Chambers and there will be a public meeting June 27, 2005 in Lincoln at the community council meeting. The budget process started March 2005 where the commissioners met with all the department heads to discuss Fiscal Year 2006 parameters. The departments entered their budgets in April and May. In May and June the Commissioners sat down with Ron Alles and Nancy Everson and went over any new requests. The budgets were balanced in those meetings. The new requests weren't fitting in the all-purpose funds. As normal, the new requests outweigh what can be funded through limited revenue sources. The budgets were balanced and pulled-together at those meetings into the Preliminary Budget that is presented today. This format followed the Gasbee Budget process required by governments. There are 3 levels of authority: 1) Legal, 2) Management plan, 3) Department Level Authority. The preliminary FY2006 Budget is \$53,948,325.00. 32% is taxes and special assessments. This is a decrease by \$23,661 from FY2005. 4 years ago a replacement and depreciation plan was started for all departments, which has led to a flat budget due to planning ahead. 4.5 % increase in revenue due to county growth. Grant projects have been budgeted. The demands for services still remain higher than the growth in the county. The growth allows the count to maintain, but the demands for infrastructure are still too high to keep up with so the finance department must find more innovative ways, such as grants, to keep up with it. The county's main fund is the General Operating fund has a 7 million dollar budget, which includes commission, administrative, treasurer, clerk and recorder, motor vehicle, accounting, county attorney, justice court, superintendent of schools, public works/bridges, coroner, weed control, animal control, senior citizens and human services. The Special Revenues Fund has several categories are restricted funding sources. \$17 million of those are 16 funds of special tax levies. There are 29 Federal and State grants, such as the drug funds. There are 28 Health Services grants. There are 48 Rural Improvement maintenance Districts. There are debt service funds and 11 RID debt service funds. There are capital improvement funds where in 2005 1.5 million was transferred in. There are federal grant projects, such as Woodland Park. Vehicles are being replaced at the Sheriff's Office, Health Department, and Public works. Proposed Capital Projects-5.5 million for Fairgrounds. Enterprise funds are self-supporting business type funds; Fairgrounds, Solid Waste, Scratch Gravel, and Cooney Nursing Home. Retains current services and programs. There are no anticipated increases in mill levies. Decreases proposed are SG and Lincoln SWD. The budget is available for viewing at the Lewis and Clark County Library. Commissioner Murray moved to adopt the preliminary budget as proposed by staff. Commissioner Tinsley seconded the motion and it carried 2-0.

**Public comments on matters not mentioned above.** None.

There is no other business, the meeting adjourned at 9:50 a.m.