

**PUBLIC MEETING
MARCH 19, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, March 19, 2013, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioner Andy Hunthausen was present. Others attending all or a portion of the meeting included Eric Bryson, Audra Zacherl, Kim Smith, Greg McNally, Drenda Niemann, Christal Ness, Steve Utick, Jim Wilbur, Laura Erikson, Al Knauber, Melissa Anderson and Misty Edwards, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Public Meeting Minutes (Rita Cortright)
Jan. 3, Jan. 5, Jan. 10, Jan. 12, Jan. 17, Jan. 19, Jan. 24, Jan. 26, Jan. 31 Feb. 2, Feb. 7, Feb. 9, Feb. 14, Feb. 16, Feb. 21, Feb. 23, Feb. 28, March 1, March 6, March 8, March 13, March 15, March 27, March 29, July 5, Sept. 25, Sept. 27, Nov. 6, Nov. 13, Nov. 22, Dec. 6, and Dec. 25, 2012.
- b. Resolution 2013-17 Declaring Certain County Property Surplus Property. (Amy Reeves)
- c. Resolution 2013-21 Declaring Certain County Property Surplus Property. (Amy Reeves)

Eric Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Hunthausen moved approval of consent action items 2.a. – c. and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 2-0.

Bid Award for Purchase of One New or Used Vibratory Roller. (Audra Zacherl)

Audra Zacherl reported 8 bids were received on March 12, 2013; only three met the requirements, and of them only one met all minimum specifications. Staff recommended the County Commission award the bid for the purchase of a 2013 Bomag BW213-40 to Titan Machinery, Inc. of Great Falls for the bid amount of \$119,272.00, and authorize the Chair to sign all applicable contract documents.

No public comment was received.

Commissioner Hunthausen moved approval to award the bid as recommended by Staff and authorized the Chair to sign all applicable contract documents. Commissioner Murray seconded the motion. The motion carried 2-0.

Amendment No. One to Task Order 13-07-5-31-032-0 Between Lewis & Clark County and Montana Dept. of Public Health and Human Services. (Drenda Neimann)

Drenda Niemann, Division Administrator, Maternal Child Health Programs, presented the amendment for a Family Forums Grant in the amount of a \$15,000, a supplement to the Best Beginnings funding currently provided through DPHHS to work on Early Childhood

Development. The forum, proposed in late April, would include school readiness, stations and activities; an opportunity to learn more about available services that support families.

No public comment was received.

Commissioner Hunthausen moved approval of Amendment No. One to Task Order 13-07-5-31-032-0 Between Lewis & Clark County and Montana Dept. of Health and Human Services. Commissioner Murray seconded the motion. The motion carried 2-0.

Professional Services Contract Between Lewis & Clark County and Energy Laboratories, Inc.
(Jim Wilbur)

Jim Wilbur, Water Quality District Coordinator, presented the 3-year contract with a 1-year option with Energy Laboratories providing for the County's use of their analytical services for a variety of monitoring programs and an analysis of water samples.

No public comment was received.

Commissioner Hunthausen moved to approve Professional Services Contract between Lewis & Clark County and Energy Laboratories, Inc. Commissioner Murray seconded the motion. The motion carried 2-0.

Interlocal Agreement Between Lewis & Clark County and Ten Mile Creek Estates/Pleasant Valley Sewer District. (Laura Erikson)

Laura Erikson, Grants Coordinator, provided background on the two subdivisions, Ten Mile Estates and Pleasant Valley, noting both were served by a lagoon system that had not been functioning up to DEQ standards for some time. Recently, the court system gifted the lagoons to the Ten Mile/Pleasant Valley Sewer District, and they were now responsible for repairs to the wastewater collection system. Funding options were outlined as presented in the Interlocal Agreement. A rate hearing was scheduled for next week to address long-term debt, which could total \$4 million for repairs. The Interlocal Agreement would provide interim funding.

No public comment was received.

Commissioner Hunthausen moved approval of the Interlocal Agreement Between Lewis & Clark County and Ten Mile Creek Estates/Pleasant Valley Sewer District, as presented. Commissioner Murray seconded the motion. The motion carried 2-0.

Public Hearing. Resolution No. 2013-20 Levying and Assessing a Tax Upon all Benefitted Property within the Fantasy Road (East of Ferry Drive) Rural Improvement (Maintenance Fund) for District No. 2011-1. (Carrie Severson) (Christal Ness)

Christal Ness, Permit Coordinator, in Carrie Severson's absence, presented the Resolution No. 2013-20 Levying and Assessing a Tax Upon all Benefitted Property within the Fantasy Road Rural Improvement District for 2011-1, which was originally created through Resolution 2011-114 on June 9, 2011. On Sept. 11, 2012, the Board of County Commissioners amended the District to provide funding of maintenance for the improvements. Improvements had been completed and the rate resolution for maintenance was presented. A vicinity map and aerial photo were viewed. The assessment included, but was not limited to, snow plowing, grading, culvert cleaning, miscellaneous signs and weed control for a total annual amount of \$5,591.94. The assessment would be levied in accordance with the method provided in Resolution 2012-

109. Notice had been published and mailed to all property owners within the District; no comments were received.

Public hearing on draft resolution to levy and assess a tax -

Joseph Smith, 2724 Fantasy Road, questioned whether property taxes covered the improvements, or if additional maintenance was being performed on the roads.

Christal Ness responded the maintenance district would be created to fund those maintenance efforts needed to maintain the improvements the County has already done on Fantasy Road.

Eric Bryson explained that the amount paid in road mill dollars by owners in this specific subdivision would not pay for maintenance on roads just to access the subdivision. RID's provided some level of appropriate maintenance in rural areas of the County.

The public hearing was closed.

Commissioner Hunthausen moved approval of Resolution 2013-20 as presented and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 2-0.

Amended Plat of Lot A – Guettler Subdivision No. 2 and Subdivision Improvement Agreement.
(Applicant: Larry Kim Smith) (Planner: Greg McNally) The Applicant is requesting to amend the Subdivision Improvements Agreement to extend the completion date until March 24, 2014.
(Tabled from 3-14-13)

Greg McNally, Planner, noted today was a tabled decision from March 14, 2013 for the Amended Plat of Lot A—Goettler Subdivision No. 2 Subdivision Improvements Agreement (SIA) extension request. The applicant entered into a SIA on May 13, 2008, which had subsequently been extended multiple times. The current request was to extend until March 24, 2014. Mr. McNally referenced the additional requests as outlined in Lindsay Morgan's memo of March 11, 2013, that had been presented on March 14, 2013. Original approval had been granted Aug. 2, 2005, with final approval granted on May 13, 2008.

Kim Smith had no further comments; however, he was available for questions.

No public comment was received.

Commissioner Hunthausen moved to direct Staff to draw up the paperwork for approval of a one-year extension for Goettler Subdivision No. 2 until March 24, 2014, recognizing the use of 2011 Engineered Estimates as provided, and recognizing the financial guarantee has already been made for the fire protection for this subdivision by Mr. Smith, and that the County continue to allow for the existing amount of the financial guarantee. Commissioner Murray limited his second to approval of the extension request. The motion carried 2-0.

Commissioner Hunthausen directed staff to work with Mr. Smith to present the Commission with an agreement within the next three months. Mr. McNally acknowledged his direction.

Board Appointment. (Eric Bryson)

STOP DUI Task Force – Term Expiration 6/30/12

Drenda Niemann left the position of Director of Youth Connections. Coleen Smith, current

Director of Youth Connections, submitted an application to fill the vacancy to 12/31/15.

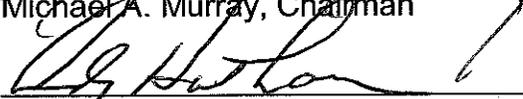
Commissioner Hunthausen moved to appoint Coleen Smith, Director of Youth Connections, to the DUI Task Force for a replacement 2-year term to expire Dec. 31. 2015. Commissioner Murray seconded the motion. The motion carried 2-0.

Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business and the meeting adjourned at 9:31 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Andy Hunthausen

(Vacant)

ATTEST:


Paulette DeHart, Clerk of the Board