

**PUBLIC MEETING
JUNE 27, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, June 27, 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 Good Geise was present. Commissioner Andy Hunthausen was away attending a MACo meeting. Others attending all or a portion of the meeting included Eric Bryson, George Thebarga, Sherrel Rhys, Audra Zacherl, Michael McHugh, Karen Lane and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

Eric Bryson reported there were no consent action items today.

Bid Opening for the Purchase of One New Track Loader. (Audra Zacherl)

Two bids were received:

1. Tractor & Equipment Company of Great Falls, Montana - \$285,845.00; a deductive alternate amount of \$7,500, for a net difference of \$278,345.00.
2. RDO Equipment of Great Falls, Montana - \$278,500.00, a deductive alternate amount of \$16,000, for a net difference of \$262,500.

Commissioner Good Geise moved to have Staff take the bids under advisement and revisit the issue on Tuesday, July 9. Commissioner Murray seconded the motion. The motion carried 2-0.

Task Order 14-07-3-31-009-9 to L&C County Unified Govt. Master Contract that Covers the Period July 1, 2012 – June 30, 2019. (Karen Lane) The Commissioners will consider the task order for renewal of the annual contract with MT Dept. of Public Health and Human Services to prevent the disease, disability and death related to the use of all forms of commercial tobacco products in Lewis & Clark and Broadwater Counties. Total grant of \$98,822 provides funding to hire 1.25 FTE for the period July 1, 2013 – June 30, 2014.

Karen Lane, Prevention Program Supervisor, reported on the Task Order, a renewal of the contract with DPHHS to provide tobacco prevention services throughout the County.

No public comment was received.

Commissioner Good Geise moved approval of Task Order 14-07-3-31-009-0 to L&C County Unified Govt. Master Contract that Covers the Period July 1, 2012 – June 30, 2019. Commissioner Murray seconded the motion. The motion carried 2-0.

Professional Services Contract Between Lewis & Clark County and KLJ. (Keith Hatch) (Eric Bryson) The Commissioners will consider the contract for Phase II Engineering for ADA parking and stormwater discharge related to the millings project in the amount of \$12,800.00 for the period June 24 – July 15, 2013.



Eric Bryson, at the request of Keith Hatch, requested the Commissioners table the item for one week to allow for receipt of additional documentation.

Commissioner Good Geise moved to table the Professional Services Contract Between Lewis & Clark County and KLJ for one week. Commissioner Murray seconded the motion. The motion carried 2-0.

Collective Bargaining Agreement Between Lewis & Clark County and Montana Public Employees' Association. (Fred Rice) The Commissioners will consider the agreement representing the employees of the Health Department, Cooperative Health Center, and County Landfill.

Fred Rice, Director of Human Resources, presented the 3-year Collective Bargaining Agreement representing employees of the Health Dept., Cooperative Health Center and County Landfill. Previously, two steps had been removed from the pay matrix; the agreement was the final step towards bringing the pay matrix that impacted these departments into conformance with the rest of the organization. The bargaining unit would vote tonight and the agreement would be signed by all parties following that vote. Staff recommended approving the Agreement.

No public comment was received.

Commissioner Good Geise moved adoption of the Collective Bargaining Agreement Between Lewis & Clark County and Montana Public Employees' Association and authorized the signatures that would be concluded on Monday. Commissioner Murray seconded the motion. The motion carried 2-0.

Memorandum of Agreement Between Lewis & Clark County and Montana Public Employees' Association. (Fred Rice) The Commission will consider the MOU representing the employees of the Health Department, Cooperative Health Center, and County Landfill.

Fred Rice, Director of Human Resources, presented the Memorandum of Agreement between the County and the Montana Public Employees' Association representing employees of the Health Dept, Cooperative Health Center and the County Landfill. The MOA addressed meeting to discuss, revise and implement on-call pay procedures for County Landfill employees.

No public comment was received.

Commissioner Good Geise moved acceptance of the Memorandum of Agreement Between Lewis & Clark County and Montana Public Employees' Association. Commissioner Murray seconded the motion. The motion carried 2-0.

Proposed Subsequent Minor to be known as Tract G-1-A-2 Gruber Amended Subdivision. (Applicant: Birdseye Vol. Fire Dept.) (Planner: Michael McHugh) The applicant requests a proposed change to the approved use from single-family residential to nonresidential use, Volunteer Fire Dept. Station, located one mile north of the junction of Austin Road and Birdseye Road, west of and adjacent to Birdseye Road in the SW ¼ of Sec. 30, T11N, R4W, P.M.M., Lewis & Clark County, Montana; and two variance requests: from the requirements of Ch. XI.F.5. Driveway Access to Birdseye Road, and Ch. XI.Y.5 Non-Residential Screening. (Tabled from 6/25/13) Decision.

Michael McHugh, Planner, noted this item was tabled from the June 25th public meeting when Staff presented the proposed change to the approved use from a single family residential to a non-residential use, specifically, a fire department that would be operated by the Birdseye Volunteer Fire Department. Draft Findings of Fact and 11 Draft Conditions of Approval had also been presented, in addition to two variance requests. The first variance request was from Ch. XI F.5 requiring subdivision corner lots to access the internal road network. If approved, Condition 3 would need to be amended. The second variance request was from Ch. XI Y.5 that dealt with the requirement that all non-residential lots adjoining or abutting residential lots or agricultural property have screening all around. If approved, Condition 4 and Condition 9.c. would be deleted from the Draft Conditions of Approval.

No public comment was received.

Commissioner Good Geise moved approval of the Proposed Subsequent Minor to be known as Tract G-1-A-2 Gruber Amended Subdivision, subject to 11 Conditions of Approval. Commissioner Murray seconded the motion.

Commissioner Good Geise moved acceptance of the variance dealing with direct access onto Birdseye Road. Commissioner Murray seconded the motion. The motion carried 2-0.

Commissioner Good Geise moved acceptance of the variance providing for more limited amount of screening as discussed by Staff. Commissioner Murray seconded the motion. The motion carried 2-0.

Commissioner Good Geise moved to remove from Condition 3, the wording, "If a variance is granted prior to any development . . ." Commissioner Murray seconded the motion. The motion carried 2-0.

Commissioner Good Geise moved to remove Condition 4 and Condition 9.c. in this amended subdivision. Commissioner Murray seconded the motion. The motion carried 2-0.

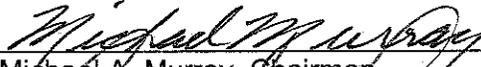
Commissioner Good Geise moved adoption of the Proposed Subsequent to be known as Tract G-1-A-2 Gruber Amended Subdivision, with the accompanying 10 Conditions. Commissioner Murray seconded the motion. The motion carried 2-0.

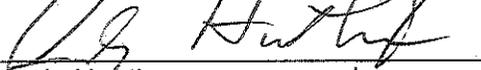
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

Eric Bryson expressed appreciation for Mr. Rice's efforts in negotiating the 3-year Collective Bargaining Agreement and for the good working relationship between the County and MPEA. At Mr. Rice's suggestion, the Association agreed to elimination of the first two steps in the pay matrix, resulting in an approx. 5% increased starting wage for members in the agreement.

There was no other business and the meeting adjourned at 9:35 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Andy Hunthausen


Susan Good Geise

ATTEST:


Paulette DeHart, Clerk of the Board