

**PUBLIC MEETING
JUNE 4, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, June 4, 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 and Commissioner Susan Good Geise were present. Others attending all or a portion of the meeting included Eric Bryson, Paulette DeHart, Eric Griffin, Audra Zacherl, Judy Hart, Karen Lane, Misty Edwards, Fred Rice, Nancy Everson, Debbie Havens, Greg McNally, Mayor Jim Smith, Mike Swingley, Mark Simonich, Jeremy Gersovitz, Justice Jim Rice, Pat McKelvey, Sandra Oitzinger, Keith Hatch, Kathy Macefield, Sharon Haugen, Marni Bentley, Frank Rives, Katie Jerstad, Ross Geise, Christy Clark, Melanie Reynolds, Paul Spengler, Cheryl Green, Mike Henderson, Al Knauber, Laura Erikson, George Theborge, Ron Alles, Tamra Chatriand, Nancy Sweeney, Jack Walsh, Steve Netshert, Robert Werner, Marti Wagner, Christina Randall, Brett Lacey, Sean Logan and Rita Cortright, Recording Secretary.

Commissioner Swear In Ceremony.

Justice Jim Rice administered the oath of office to Susan Good Geise to serve as County Commissioner representing District No. 2.

Pledge of Allegiance. Everyone recited the Pledge.

Proclamation Declaring June 3-9, 2013 "Wildfire Awareness Week". (Pat McKelvey)

Pat McKelvey, Project Impact Coordinator, read the Proclamation Declaring June 3-9, 2013 "Wildfire Awareness Week." He also delivered highlights of events planned in Helena by the Tri-County FireSafe Working Group during the week, including a public presentation at 6:30 p.m. at Helena Middle School by representatives of the Colorado Springs Fire Dept. on the Waldo Canyon Fire in June 2012, when 247 homes burned.

Brett Lacey, Fire Marshall, thanked the Commission for the opportunity to share their community's experiences and lessons learned from the Waldo Canyon Fire, noting there were many similarities between their community and Helena related to fire conditions.

Sean Logan, Fire Chief, explained that the City of Helena was within a wildland/urban interface where the threat of wildfire was very great. During tonight's presentation, Mr. Lacey and Ms. Randall would draw some comparisons and similarities between their community and Helena.

Christina Randall, Mitigation Specialist, thanked the Commission for the opportunity to visit Helena, learn about fire prevention efforts here and share their experiences with the Waldo Canyon Fire.

Consent Action Items. (Eric Bryson)

- a. Public Meeting Minutes for Feb. 19, May 21, 23, 30, 2013. (Rita Cortright)
- b. Supplemental Right-of-Way Agreement for a 1.98-acre Temp. Staging/Storage Permit Area for a Total Compensation of \$2,775.00 on Parcel 1 of Rimini Road Utility Relocation Project. (Eric Griffin)

- c. Resolution 2013-57 Requesting Prosecutorial Assistance, *State v. Troy Brin*, (Leo Gallagher)
- d. Resolution 2013-58 Setting the Salaries for Certain Elected Officials (Fred Rice)
- e. Resolution 2013-59 Setting the Salary for the Lewis & Clark County Justice of the Peace and Establishing Office Hours (Fred Rice)

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

No public comment was received.

Commissioner Hunthausen moved approval of the Consent Action Items 4.a. through e. as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Bid Opening for Asphalt Paving of Interior Roads in the Big Sky Subdivision. (Audra Zacherl)

Two bids were received:

1. Cap Paving - \$135,971.11
2. Helena Sand & Gravel - \$143,143.00

Commissioner Hunthausen moved to ask staff to review the bids and make a recommendation to the Commission Thursday at the regularly scheduled meeting. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Change Order No. 2 to Contract Between L&C County and Bullock Contracting LLC for Sun River Road Graveling Phase II Project in the Amount of \$36,598.86. (Jesse Whitford) (Eric Griffin)

Eric Griffin, Public Works Director, reported on the Change Order for the Sun Canyon Road safety project just outside of Augusta that included \$18,030.40 for magnesium chloride, \$29,341.00 for hauling and placement of gravel on the Bar Creek Road, \$4,500.00 for road preparation prior to graveling and a 2.6% bonding increase totaling \$927.00. Staff recommended approval of the Change Order.

No public comment was received.

Commissioner Hunthausen moved approval of Change Order No. 2 to the Contract Between Lewis & Clark County and Bullock Construction for Sun River Road Graveling Phase II Project in the Amount of \$36,598.86, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Amended Memorandum of Agreement Regarding the Criminal Investigation Bureau Between the Lewis & Clark County Sheriff Employees' Association and Lewis and Clark County. (Fred Rice)

Fred Rice, Human Resources Director, reported on the Amended Memorandum of Agreement that reduced the amount of stipend from \$150 to \$100, for deputies assigned to the Criminal Investigation Bureau in the Sheriff's Office. The original MOU was passed on Febr. 28, 2013.

No public comment was received.

Commissioner Hunthausen moved approval of the Amended Memorandum of Agreement Regarding the Criminal Investigation Bureau Between Lewis & Clark County Sheriff Employees'

Association and Lewis and Clark County, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

County Health Benefit Plan Reinsurance for 2013-2014 Plan Year. (Fred Rice)

Fred Rice, Human Resources Director, reported on the County Health Benefit Plan Reinsurance for 2013-2014, the annual agreement to purchase Reinsurance for the County's Health Benefit Plan. This year's proposal was to renew with Excess Risk Reinsurance at a premium cost of \$401,068.00.

No public comment was received.

Commissioner Good Geise moved approval to purchase the Reinsurance as described by Mr. Rice for \$401,068.00. Commissioner Hunthausen seconded the motion. The motion carried 3-0

Resolution 2013-60 Authorizing the Issuance and Sale of Up to \$4,250,000 Higher Education Revenue Bond (Carroll College Issue), Series 2013A, Under Montana Code Annotated, Title 90, Chapter 5, Part 1, As Amended to Finance An Approved Project; Approving the Form of Documentation in Connection Therewith; and Authorizing the Execution and Delivery of the Bonds and Related Documentation. (Nancy Everson) (Eric Bryson)

Eric Bryson requested tabling the item to June 11 as the Finance Staff and Carroll College were working through the details.

No public comment was received.

Commissioner Hunthausen moved to table the item until next Tuesday's regular meeting. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Task Order 14-07-3-01-009-1 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 providing for renewal of the annual Cancer Control Program with MT Dept. of Public Health and Human Services in the amount of \$128,600 for the period July 1, 2013 – Sept. 30, 2014.

Karen Lane, Prevention Program Manager, reported on the Task Order, the annual renewal of the contract with the Dept. of Health and Human Services to provide for cancer screening for breast cancer, colorectal and cervical cancer. The contract covers the Cancer Control Program staffed by a 1.5 FTE and included both a screening coordinator and the outreach coordinator, and was funded by the Centers for Disease Control and Prevention as part of a nationwide cancer screening program.

No public comment was received.

Commissioner Hunthausen moved approval of the Task Order as presented by Staff. Commissioner Good Geise seconded the motion. The motion carried 3-0.

MDT Safe Routes to School Non-Infrastructure Grant Award. (Laura Erikson) The Commissioners will consider the grant award of \$15,150 for the period July 1, 2013 – June 30, 2014.

Laura Erikson, Grants Coordinator, reported on the Safe Routes to School Grant Award of \$15,150 for the County's Bike/Walk Education Project III, to expand the walking school buses campaign. The remainder of the \$39,200 requested will go to MDT to purchase 25 bikes and a trailer for middle school bikes.

No public comment was received.

Commissioner Hunthausen moved approval of the MDT Safe Routes to School Non-Infrastructure Grant Award, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Resolution 2013-49 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the County Clerk's Office Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-50 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the Clerk and Recorder Account in Fund #001 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-51 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 11, 2011 and June 30, 2012 from the Clerk of the District Court Fund #716 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-52 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the Fairgrounds Fund #719 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-53 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the Sheriff's Commissary Fund #703 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution No. 2013-54 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2013 and June 30, 2012 from the County Payroll Fund #700 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-55 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the Sheriff's Tax Writ Fund #706 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Resolution 2013-56 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2011 and June 30, 2012 from the Treasurer's Office Accounting Department Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)

Commissioner Murray. Mr. Bryson.

Tamrah Chatriand, Accounting Clerk, presented Resolutions 2013-49 through 2013-56, canceling the uncalled warrants drawn on US Bank of Helena with a date of issuance between July 1, 2011 and June 30, 2012, for various funds. The checks would remain valid for seven years, plus audit. The money would be moved to the general and, if requested, a replacement check would be issued. Staff attempted unsuccessfully to contact payees on the larger amounts and the salary checks.

No public comment was received.

Commissioner Good Geise moved to adopt the Staff recommendation on Resolutions 2013-49 through 2013-56. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Final Plat Application for the Werner Minor Subdivision. (Applicant: Robert J. Werner)
(Planner: Greg McNally) The Commissioners will consider the final plat application for a 2-lot subdivision, each for 1 single-family dwelling, located north of and adjacent to Whiterock Road. Preliminary approval for this Subdivision was granted on Feb. 3, 2011, subject to 10 conditions.

Greg McNally, Planner, presented the Final Plat Application for the Werner Minor Subdivision, a proposed development north of Whiterock Road east of Valley Drive that would create two lots, each for one single-family dwelling. Two lots will be approximately 1.5 acres in size and will be served by individual wells and individual wastewater treatment systems and utilities. Access to these lots will be off of Whiterock Road. One lot was presently developed with a single-family dwelling. A vicinity map and aerial photo of the subject property were viewed. Staff provided a memo containing the Conditions of Approval granted on Feb. 3, 2011. The plat was also found to be in substantial compliance with the Lewis & Clark County Subdivision Regulations and all Conditions have been met or otherwise addressed by the Applicant. The final plat application was in order for final plat approval.

Commissioner Hunthausen moved approval of the Final Plat Application for the Werner Minor Subdivision, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Right-of-Way Annexation. (Kathy Macefield) The City of Helena requests the Commission consider the annexation of the full right-of-width of Missoula Avenue from the existing city boundary line along Blaine Street on the east, extending approx. 421.65 feet westward to vacated Market Street. The right-of-way is adjacent to Block 21 of the Boyce Addition.

Kathy Macefield, Senior Planner, presented the City's request to annex a portion of right-of-way described as: The full width of the right-of-way of Missoula Avenue from the existing city boundary line along Blaine Street on the east, extending approx. 421.65 feet westward to vacated Market Street, adjacent to Block 21, Boyce Addition.

No public comment was received.

Commissioner Hunthausen moved approval of the Right-of-Way Annexation request, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Board Appointments: (Eric Bryson)

- a. Lincoln Hospital District
- b. Lincoln Rural Fire Department District

Commissioner Hunthausen moved to appoint Rebecca Garland Thumma to the Lincoln Hospital District to a term ending 2016, and Laura Allen-Bullis to the Lincoln Hospital District to a term ending 2016. Commissioner Good Geise seconded the motion.

No public comment was received. The motion carried 3-0.

Commissioner Hunthausen moved to appoint James William Frisbe to the Lincoln Rural Fire District to a term ending 2014.

No public comment was received. The motion carried 3-0.

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 10 a.m.

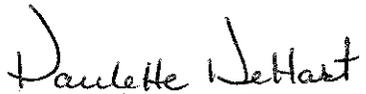
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Andy Hunthausen


Susan Good Geise

ATTEST:


Paulette DeHart, Clerk of the Board