

**PUBLIC MEETING
JULY 9, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, July 9, 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, George Theborge, Kyle Thomas, Audra Zacherl, Tammy Potter, Dave Fradette, Drenda Niemann, Nancy Everson, Paulette DeHart, Keith Hatch, Fred Rice, Al Knauber, Tom Gossack, Kraig Pester, Jerry Ridgeway, Jack Walsh and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution 2013-64 Ordering a Refund of Taxes/Fees/Assessments Paid by Craig Community Cemetery Assn. in the Amount of \$358.28. (Cheryl Green) (Tabled from 7/2/13)
- b. Public Meeting Minutes for March 12, 2013. (Rita Cortright)

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

No public comment was received.

Commissioner Hunthausen moved approval of consent action items 2.a. and b. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Bid Award for Purchase of One (1) New Track Loader. (Audra Zacherl) (Bids opened 6/27/13 – tabled to 7/9/13)

Audra Zacherl, Finance Coordinator, reported on opening two bids on June 27, 2013, for one new track loader budgeted by the Count Landfill. One bid was found to be non-responsive. Staff recommended awarding the base bid only for purchase of a 2014 Caterpillar 963D to Tractor and Equipment Co. of Great Falls, Montana, for the bid amount of \$285,845 and authorizing the Chair to sign all purchase documents.

No public comment was received.

Commissioner Good Geise moved to award the base bid for the purchase of a 2014 Caterpillar 963D to Tractor and Equipment Company of Great Falls, Montana for the bid amount of \$285,845 and authorize the Chair to sign all purchase documents. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Bid Opening for Construction of the 2013 Chip Seal Surfacing of County Roads and Rural Improvement Maintenance Districts. (Audra Zacherl) The project consists of chip seal surfacing and paint striping various county roads and RID's in Lewis & Clark County.

Two bids were received:

1. Pavement Solutions of Columbia Falls, MT - \$694,658.36

2. Helena Sand & Gravel, Inc. of Helena, MT - \$847,847.00

Commissioner Hunthausen moved to direct Staff to take the bids under advisement and make a recommendation to the Commission at next Tuesday's regular meeting. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Lease Agreement Between John C. Taylor, Trust, and Lewis & Clark County. (Kyle Thomas) The Commissioners will consider the lease for premises known as 2001 11th Ave., Building A, Rooms 10-13, Helena, Montana, in the amount of \$1,490/month.

Kyle Thomas, Ast. Public Works Director, presented the one-year Lease Agreement for \$1,490/month to rent approx. 895 sq. ft. of office space in the building adjacent from the County Health Center. Offset space would be needed during the Clinic remodel, scheduled for completion in Dec. 2014, for about 7 employees in three offices, and 2 prevention staff in a fourth office. First and last months' rent, plus a non-refundable cleaning deposit would be due upon signing the lease. The first year's cost was about \$23,000. Staff recommended approving the lease and the signing of all applicable documents.

Commissioner Good Geise asked for clarification regarding the term of the lease and whether all staff would be housed within the renovated building.

Kyle Thomas responded this was a permanent move; however, if space opened up in the renovated building, staff would be relocated back into the building and the lease would cease.

Commissioner Good Geise stated her concern that \$5 million was being spent on renovating a building that might not be sufficient to meet the staff's space needs.

Kyle Thomas clarified that the goal of the project was to expand the services for the Health Clinic, and to do that space currently occupied by Staff would be reallocated.

Eric Bryson added that when federal dollars were received for capacity expansion of a federally-qualified health center, non-clinic type operations had to be considered for displacement to accommodate the expansion of clinic services.

No public comment was received.

Commissioner Hunthausen moved approval of the Lease Agreement Between Lewis & Clark County and John C. Taylor, Trust, as presented. Commissioner Good Geise seconded the motion.

Discussion –

Commissioner Good Geise asked for clarification that it was always the plan to house the administrative offices outside of the remodeled Clinic. She expressed concern over an ongoing expense for the County to permanently house Staff outside of the remodeled Clinic.

Kyle Thomas responded that originally when the grant was written, it was designed to increase the square footage and capacity of the Clinic by adding a second story, totaling 5,000 sq. ft. As the project evolved and budgets were scrutinized, it became apparent the grant would not cover the planned second story. The initial intent was not to offset Staff; however, it has since become necessary.

No public comment was received.

The motion carried 2-1, with Commissioner Good Geise voting no.

Professional Services Contract Between Lewis & Clark County and KLJ. (Keith Hatch)

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. (Tabled from 6/27/13)

Keith Hatch, Fairgrounds Manger, presented the Professional Services Contract with KLJ Engineering for engineering and surveying services at the Fairgrounds, including site preparation and grading plans to address the installation of asphalt millings for the Exhibit Hall parking lots, as well as ADA parking spots for the Exhibit Hall, the Multi-Purpose Building and the Bill Hamilton Building. Detention pond expansion plans were also included to accommodate stormwater runoff, as well as the proposed storm drain inlets and conveyance pipes. The consultant will also conduct an existing condition survey of the affected areas for topography, drainage patterns and structures, and provide construction staking one time after the design is complete, prior to construction, so that the millings can be properly placed. The contract amount for engineering is \$12,280 and for the surveying is \$4,200; the total contract is not to exceed \$16,480.

No public comment was received.

Commissioner Hunthausen moved approval of the Professional Services Contract Between Lewis & Clark County and KLJ, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Keith Hatch reported on the schedule for the Stampede and Fair, July 24-28, 2013.

Amendment to Contract No. 130352500013 Between Montana Dept. of Public Health & Human Services & Lewis & Clark City-County Health Dept. (Drenda Niemann)

The Commissioners will consider the amendment modifying the effective date and duration of the contract to July 1, 2013 – June 30, 2014.

Drenda Niemann., Division Administrator, presented the Contract Amendment in the amount of \$15,000 to implement parent education and parent support groups. Two 8-week courses will serve approx. 30 families; 15/class. In addition, a weekly support group will serve about 40 families over the year utilizing the Circles of Security model.

No public comment was received.

Commissioner Hunthausen moved approval of the Amendment to the Contract Between Montana Dept. of Public Health and Human Services and Lewis & Clark County, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Internship Agreement Between Lewis & Clark Co. Heritage Tourism Council and Carroll College. (Pam Attardo) (George Theborge)

The Commissioners will consider the Internship Agreement for the period July 1, 2013 – June 30, 2014, in the estimated amount of \$11,520.00.

George Theborge, Director of Planning, in Pam Attardo's absence, presented the Internship Agreement with Carroll College for Fiscal Year 2014 in the amount of \$11,520.

No public comment was received.

Commissioner Good Geise moved approval of the Internship Agreement Between Lewis & Clark County Heritage Tourism Council and Carroll College. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Montana Dept. of Corrections Per Diem Rate for Fiscal Year 2014. (Tammy Potter) The Commissioners will consider the per diem rate of \$123.34 per inmate per day to house Dept. of Corrections inmates in the Detention Center.

Tammy Potter, Finance Coordinator, presented the Per Diem Rate for Fiscal Year 2014. The current rate was \$63.85; the new rate was \$123.34 per inmate per day to house Dept. of Corrections inmates in the Detention Center.

No public comment was received.

Commissioner Hunthausen moved approval of the Montana Dept. of Corrections Per Diem Rate for FY2014, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Dave Fradette reported that today's inmate population at the Jail was 94; 23 in Broadwater County; 10 in Gallatin County; and 3 in Cascade County. The facility was designed to hold 58 inmates.

Resolution 2013-66 Authorizing the Issuance and Sale of \$12,315,000 Higher Education Revenue Refunding Bond (Carroll College Refunding Issue), Series 2013B, Under Montana Code Annotated, Title 90, Chapter 5, Part 1, as Amended, in Connection with the Refunding of Certain Outstanding Bonds; Approving the Form of Documentation in Connection Therewith; and Authorizing the Execution and Delivery of the Bond and Related Documentation. (Nancy Everson)

Nancy Everson, Finance Director, presented the Resolution authorizing the issuance and sale of \$12,315,000 higher education revenue refunding bonds for Carroll College. The Resolution of Intent was passed previously, and a public meeting was held in May. The Resolution for the \$4.5 million was passed in June, and now the resolution to refund the \$12.5 million in bonds was being presented for Commission approval. The County was lending their tax-exempt status to Carroll College to allow them to obtain a more favorable interest rate. The County had no obligation in any event to pay the bonds, should Carroll College default. Staff recommended approval of the resolution and authority for the Chair to sign all applicable documents coming in the next week or two for the loan closing.

No public comment was received.

Commissioner Good Geise moved to adopt Resolution 2013-66 Authorizing the Issuance and Sale of \$12,315,000 Higher Education Revenue Refunding Bond (Carroll College Refunding Issue), Series 2013B, Under Montana Code Annotated, Title 90, Chapter 5, Part 1, as Amended, in Connection with the Refunding of Certain Outstanding Bonds; Approving the Form of Documentation in Connection Therewith; and Authorizing the Execution and Delivery of the Bond and Related Documentation and that the Chairman be authorized to sign any necessary documents, Mr. Chairman. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Public Hearing. County's Notice of Budget Increase from Property Taxes and of Hearing Thereon. (Nancy Everson)

Nancy Everson, Finance Director, stated this was a Public Hearing on the 1.03 percent increase, and noted the FY2014 Budget was built on the assumption this 1.03 percent was included in the preliminary budgets. Sec. 15-10-410, MCA, authorizes the property tax increase of one-half of the average rate of inflation for the prior three years, or 1.03 percent for FY2014. The statute also provided authority for the County to levy for group benefit premium increases; however, the County did not include the \$25/month health insurance benefit increase as a property tax increase. Today's public hearing had been advertised. In early August the Dept. of Revenue would certify the County's overall taxable value, and certify new property coming onto the tax rolls. The growth was estimated at about 2 percent for budget purposes.

No public comment was received.

Commissioner Hunthausen moved to take action at a later date when Ms. Everson presented a Resolution for Commission approval. Commissioner Good Geise seconded the motion. The motion carried 3-0. .

Public Hearing. County's Proposed Budget for Fiscal Year 2014. (Nancy Everson)

Nancy Everson, Finance Director, stated this was a public hearing on the 2014 Preliminary Budget and gave a PowerPoint Presentation on the Budget. The process began in March; final adoption was planned in July. The Budget had been presented to the Commission June 18, 2013, during the public meeting. The Commission Goals, Expenditures and Revenues by Classification, the All Purpose Fund Expenditures and Revenues, the Revenue/Reserves Analysis Fund Types, changes in Personnel Costs and FTE's, Operations & Maintenance and Debt and Capital were reviewed in detail.

Commissioner Good Geise expressed concern over the decreasing revenue forecast and increased expenses.

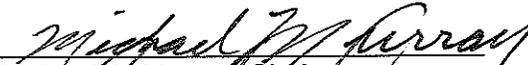
Eric Bryson responded that if the County remained in structural balance with the budget from year to year, the County would be in good shape; however, that required realistic revenue projections balanced with expenses. Capital savings would continue, as would services delivered by professional, competent staff, which meant adjustments to base pay to retain that staff.

No public comment was received. The public hearing on the Proposed Budget for FY2014 was closed.

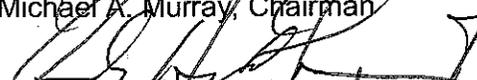
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business and the meeting adjourned at 10:21 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Michael A. Murray, Chairman

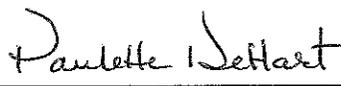


Andy Hunthausen



Susan Good Geise

ATTEST:



Paulette DeHart, Clerk of the Board