

**PUBLIC MEETING  
JUNE 12, 2014  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, June 12, 2014, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chair Susan Good Geise called the meeting to order at 9 a.m. Commissioner Andy Hunthausen was present. Commissioner Mike Murray joined the meeting in progress at 9:55 a.m. Others attending all or a portion of the meeting included Eric Bryson, Katie Jerstad, K. Paul Stahl, Audra Zacherl, Drenda Niemann, Lindsay Morgan, Colt Peebles, Kraig Pester, Willie Widhalm, Landon Dorgan, Jeanne Holmgren, Andrea Silverman, Andy Baur, Matt Witkos and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Introduces Staff Members.

Consent Action Items. (Eric Bryson)

a. Public Meeting Minutes – May 27 & 29, and June 3, 5 & 10, 2014. (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 as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Bid Opening. L&C County – Stemple Pass FEMA Road Slide Repair Projects.  
(Audra Zacherl)

Colt Peebles with Great West Engineering addressed the project and how it will correct issues from the results of the 2011 heavy rainfall.

Four bids were received:

1. Hall Construction Services - \$77,578
2. Robinett Construction - \$76,238
3. Repose Excavation, LLC - \$59,984.70
4. J&S Construction - \$109,412

Commissioner Hunthausen moved to direct staff to take the bids under advisement and make a recommendation to the Commission at the June 24<sup>th</sup> meeting.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Bid Opening. L&C County – Purchase of One New Wheel Loader. (Audra Zacherl)

Seven bids were received:

1. Tractor and Equipment Co. - \$126,517
2. Tractor and Equipment Co. - \$145,387



3. Modern Machinery Co. - \$132,240
4. Titan Machinery, Inc. - \$125,707
5. Tri-State Truck & Equipment, Inc. - \$130,602
6. Tri-State Truck & Equipment, Inc. - \$144,340
7. RDO Equipment Co. - \$130,046

Commissioner Hunthausen moved to take the bids under advisement and make a recommendation to this Commission on June 24 at our regularly scheduled meeting.

Commissioner Good Geise explained where bid projects are advertised.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Amendment No. 2 to Contract Dated August 14, 2014, between Lewis & Clark County and Stahly Engineering & Associates, Inc. (Audra Zacherl) The Commissioners will consider the amendment in the amount of \$10,788.00 for additional engineering services needed for the WFLHD – FHWA Benchmark Road Surface Rock Replacement Project.

Audra Zacherl presented Amendment No. 2 to the Contract August 14, 2014, between the County and Stahly Engineering & Associates, Inc., in the amount of \$10,788. The project consists of providing and placing crushed top surfacing on approximately 14.4 miles of roadway on the Benchmark Road west of Augusta and recommended the Board to approve authorize the Chair to sign.

Commissioner Hunthausen moved approval of Amendment No. 2 to the Lewis and Clark County and Stahly Engineering & Associates, Inc. contract.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Interlocal Agreement between Lewis & Clark County and Ten Mile Creek Estates/Pleasant Valley Sewer District. (Audra Zacherl) The Commissioners will consider the agreement for repaving Kelly Road in the amount of \$108,000. Split: \$66,600 for County RID #432 and \$44,400 for District.

Audra Zacherl presented the Interlocal Agreement between Lewis & Clark County and the Ten Mile Creek Estates/Pleasant Valley Sewer District, for road work for the Pleasant Valley Rural Improvement District. The sewer district has agreed to amend their contract with Hard Rock Road Building and Utilities to pave the additional 18 ft of roadway for the RID at a cost to the Rid of 66,600.

No public comment was received.

Commissioner Hunthausen moved the approval of the Interlocal Agreement between Lewis & Clark County and Ten Mile Creek Estates/Pleasant Valley Sewer District as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Amendment No. 7 to Reimbursable Agreement between Western Federal Lands Highway Division and Lewis & Clark County. (Audra Zacherl) The Commissioners will consider the amendment covering the clearing of timber and brush from the utility right-of-way to facilitate completion of utility relocations by Century Link and Northwestern Energy in the amount of \$6,000.

Audra Zacherl presented Amendment #7 to Western Federal Lands Highway Division for an additional \$6,000 on the Rimini Road Utility Relocation Project. The purpose for the increase in the reimbursable amount is to provide funds to clear timber and brush from the utility right of way in order for Century Link and Northwestern Energy to complete their relocations on this project.

Commissioner Hunthausen asked if the match can be in the form of in-kind services. Audra Zacherl explained that yes, it's a combination of hard and soft match amounts and added that a soft match is anything that isn't actual cash.

Commissioner Hunthausen moved the approval of Amendment #7 to Reimbursable Agreement between Western Federal Lands Highway Division and Lewis & Clark County as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Modification No. 1 to Agreement Dated Nov. 1, 2013, between Northwestern Corporation and Lewis and Clark County. (Elisa Prescott) (Eric Bryson) The Commissioners will consider the Modification in the amount of \$4,800 to design and present two 2-hour renewable energy workshops to commercial businesses in Helena and Great Falls.

Commissioner Good Geise asked Mr. Bryson to present in the absence of Elisa Prescott.

Eric Bryson explained that Lewis and Clark County received a \$4,800 grant from Northwest Energy. The intent was to design and present two 2-hour renewable energy workshops in Helena and Great Falls. The workshops target business owners to educate them on commercial applications of renewable energy.

Rita Cortright stated that Elisa Prescott wanted to table this item so she could present at the June 17<sup>th</sup> meeting.

Commissioner Hunthausen moved to table the item until the meeting on June 17<sup>th</sup>.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Task Order 15-07-3-01-009-0 to L&C Co. Unified Govt. Master Contract that Covers July 1, 2012 – June 30, 2019. (Drenda Niemann) The Commissioners will consider the task order to the contract between MT Dept. of Public Health and Human Services and L&C City-County Health Dept. in the amount of \$115,900 for the Montana Cancer Control Program for the period 7/1/14 – 9/30/15.

Drenda Niemann reported that The Montana Department of Public Health and Human Services has awarded Lewis & Clark County a renewal task order, from the 2012 master contract to implement breast cervical and colon rectal cancer screening services and to strengthen community capacity for policy and system change to prevent and detect cancer early and Lewis & Clark, Broadwater and Jefferson and Meagher Counties.

The contract will allow the Department to enroll 40 eligible clients to receive colorectal screenings and 300 breast and cervical services of which 40 must be American Indian. Additionally, the contract supports enrolling medical providers in the program to provide these services and build awareness of the importance of early detection and improving worksite

wellness programs to include cancer screenings.

The contract allows the County to spend considerable effort and focus in our community to provide early detection services to those individuals in our community that don't have access otherwise.

Commissioner Good Geise asked how to ensure we reach the benchmark of 40 Native Americans and if Ms. Niemann is confident we can reach that.

Drenda Niemann answered that there is a Memorandum Of Understanding in place between the County and the Leo Pocha Clinic and they assist us in getting those individuals connected to screenings.

Commissioner Good Geise also asked her to elaborate on the patient navigation part of the contract.

Drenda Niemann explained this is a new part of the contract and is connected to the ACA, the Affordable Care Act and that we play a role when we individuals come to us to receive these services because they are underinsured or uninsured. We connect them to the Market Place to help them get enrolled and insurance coverage. We use the navigators the Community Health Center has on staff.

Commissioner Hunthausen moved to approve Task Order 15-07-3-01-009-0 to Lewis & Clark County Unified Govt. Master Contract that Covers July 1, 2012 – June 30, 2019 as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Petition to Annex the County Shop Property in Wolf Creek, MT. (Eric Bryson) The Commission will consider signing the Consent.

Eric Bryson reported on the Petition and mentioned it is written consent to annex the county shop property. It will allow the county shop to be eligible to connect to the water and wastewater system that is soon to be developed in the Wolf Creek area.

K. Paul Stahl, County Attorney reported this makes us a part of the District as opposed to contracting with the District and allows us some input to the District. This makes us a member now, we can vote and do all that sort of thing.

Commissioner Hunthausen move approval of the petition to annex the County Shop Property in Wolf Creek, MT into the Wolf Creek Water and Sewer District as presented.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Board Appointments. (Eric Bryson)

- Tax Appeal Board

Commissioner Hunthausen move to appoint Russ Hyatt to a second term on the Tax Appeal Board thru June 30<sup>th</sup> 2017.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Commissioner Hunthausen move to appoint Mike Noble to the 4<sup>th</sup> Term of the Tax Appeal Board thru June 30<sup>th</sup>, 2016.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

- The Lewis & Clark County Heritage Preservation and Tourism Development Council.

Commissioner Hunthausen move to reappoint Dick Alberts to a second term on the Lewis & Clark County Heritage Preservation and Tourism Development Council thru June 30<sup>th</sup>, 2017.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

- Mental Health Local Advisory Council

Commissioner Hunthausen moved to appoint Mike Noble to a to a 4 yr. term thru June 30<sup>th</sup>, 2018 to Mental Health Local Advisory Council.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Commissioner Hunthausen moved to appoint Patrick Johnson to a to a 4 yr. term thru June 30<sup>th</sup>, 2018 to Mental Health Local Advisory Council.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

- The Lincoln Park Board

Commissioner Good Geise asked if we advertised in the Blackfoot Valley Dispatch.

Eric Bryson said he doesn't know that we ever did with this position in particular, but we did make note and we will make sure we do that in the future.

Commissioner Hunthausen moved to appoint second term of Jesse Sallin on the Lincoln Parks Board thru June 30<sup>th</sup>, 2017.

Commissioner Good Geise seconded the motion. The motion carried 2-0.

Resolution 2014-62. A Resolution Approving Funding of Open Lands Project ("York Gulch Land Acquisition"). (Katie Jerstad) The Commission will consider the Resolution approving the funding of the York Gulch Land Acquisition in the amount of \$205,000 from the Open Lands Program, Staff's presentation of the Due Diligence Report, and the Citizen's Advisory Council's recommendation to approve project funding on two conditions.

Andrea Silverman, Land Protection Coordinator for Prickly Pear Land Trust, presented the project. The property is approximately 286 acres composed of 14 contiguous mining claims in Helena National Forest, about 20 miles northeast of Helena and 2 miles east of York. The property is accessed by several different Forest Service Roads. One of the previous issues mentioned was obtaining legal access. Initially, we were trying to acquire access along Black Bear Road, which involved 24 individual parcels and 14 different land owners. Prickly Pear Land Trust is now able to grant access through an acquisition of the neighboring Tiddy property. The Tiddy property will now be part of the Helena National Forest.

Katie Jerstad was asked to review due diligence documents for Open Land Program Funding. The mineral rights have not been severed from property. In order for the Federal Government to acquire this property they had a mineral report done and that report indicated that the minerals on the property had negligible value for extraction and there were no environmental contaminations.

Appraiser Mr. Ted Thayer has submitted his qualifications to the County. They are sufficient and Katie asked the Commission to move and select Mr. Thayer as a qualified appraiser prior to approving funding.

Katie Jerstad added that for the purpose of federal funding, the project will be closed in 2 different phases. She asked that the County approve with the condition that that the Forest Service present the County with the Water Rights report for 2<sup>nd</sup> phase of project.

Jeanne Holmgren, US Forest Service, commented that they anticipate they will be a closing on the second and final phase at the end of August or beginning of September.

Andy Baur reported that Lewis and Clark County Open Space Bonds will be leveraged 4:1.

No public comment was received.

Commissioner Hunthausen moved that the commission officially select the appraiser and approve Ted Thayer as presented by Ms. Jerstad.

Commissioner Murray seconded the motion.

Commissioner Good Geise said she is not comfortable with how this process of selecting the appraiser occurred.

Motion to approve Mr. Thayer as a qualified appraiser carried 2-1.

Commissioner Hunthausen moved approval of Resolution 2014-62 funding the York Gulch Acquisition Open Lands project as presented.

Commissioner Murray seconded the motion. Motion carried 3-0.

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

There was no further business and the meeting adjourned at 10:04 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Susan Good Geise, Chair

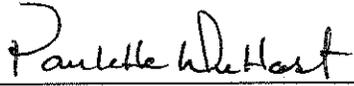


Andy Hunthausen



Mike Murray

ATTEST:

A handwritten signature in cursive script that reads "Paulette DeHart". The signature is written in black ink and is positioned above a horizontal line.

Paulette DeHart, Clerk of the Board