

**PUBLIC MEETING
AUGUST 22, 2013
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, August 22, 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, Laura Erikson, Kathy Moore, Dave Rau, Katie Jerstad, Jack Walsh, Steve Larson, Al Knauber, Roger LaVoie, Skeeter Baerstch, Scott Cromwell, Donna Barer and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

Eric Bryson noted there were no consent action items.

Independent Contractor Contract Between Lewis & Clark County Public Works and Slate Architecture, Inc. in the Amount of \$84,011.24. (Kyle Thomas) The Commissioners will consider the contract for engineering and architectural services needed for the Lewis and Clark Search and Rescue Facility Project.

Kyle Thomas, Ast. Public Works Director, presented the Contract in the amount of \$84,011.24 for architectural services to design the Lewis and Clark County Search and Rescue facility, a metal building of approximately 7,000 sq. ft. in size on Valley Drive next to East Valley Fire Department. Staff recommended approval of the contract and signature on all additional contract documents.

No public comment was received.

Commissioner Good Geise moved adoption of the Staff recommendation to issue and sign the contracts for the Independent Contractor Contract Between Lewis & Clark County Public Works and Slate Architecture, Inc. in the Amount of \$84,011.24. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Scott Cromwell, principal architect with Slate Architecture, Inc., 107 Lawrence, Helena, thanked the Commission for the opportunity to be a part of the Search and Rescue Facility project, and provided an overview of the process of determining needs of the stakeholders, prioritizing that list, producing a schematic and current work on the Construction Document which should be completed in early October. Weather permitting, work would continue through the winter.

Lease Agreement between Lewis and Clark County Cooperative Health Center and A&W Properties. (Kyle Thomas) The Commissioners will consider the lease of approximately 3,000 square feet in the amount of \$4,000 per month for the time period of September 1, 2013 to September 1, 2014.

Kyle Thomas, Ast. Public Works Director, presented the Lease Agreement with A&W Properties for 3,000 sq. ft. of space at 251 Saddle Drive, lower level of Arnold Physical Therapy, to offset



the Cooperative Health Center dental practice starting around mid-September, while the CHC is undergoing remodel. The \$4,000/month rent would be covered by the project costs for the CHC remodel. The space was previously occupied by a pediatric dentist; therefore, necessary infrastructure was already in place, with the exception of some cabinets and dental chairs. Staff recommended approval of the contract and signature on all applicable documents.

No public comment was received.

Commissioner Hunthausen moved approval of the Contract Between Lewis & Clark County Cooperative Health Center and A&W Properties, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Independent Contractor Contract Between Lewis & Clark County and Current Transportation Solutions, Inc. in the Amount Not to Exceed \$19,455. (Laura Erikson) The Commission will consider the contract for the Helena Area Transit System Inclusive Coalition Building project for the period Aug. 22 – Nov. 30, 2013.

Laura Erikson, Grants Coordinator, presented the Contract with Current Transportation Solutions, Inc. to fund implementation of the previously approved Helena Area Transit System Inclusive Coalition Building Project, in an amount not to exceed \$19,455.

Steve Larson, Helena Area Transit System (HATS) supervisor, provided an overview of the HATS program in the Helena area, noting it provided curb-to-curb service for approximately 32,000 and fixed-route services for approximately 34,000 riders, in addition to serving 16,000 riders on the East Helena commuter route. The North Helena Valley was not currently served. The grant opportunity came available in early March, and provided the opportunity for a planning grant to gather more data on public transit needs in the North Valley. Due to ADA and senior needs, the HATS program began with Dial-A-Ride and has evolved to a fixed route. The program's annual budget was about \$1.1 million. Buses were purchased primarily through the State of Montana, who provides 85 percent of the funding; therefore, the type and size of busses was limited with most being 13 to 17-passenger busses, and operated on half-hour timeslots, with an average ridership of 3-4 clients per bus and a maximum of 5. The curb-to-curb service mainly provides service to seniors and the disabled who have no other means of transportation.

No public comment was received.

Commissioner Hunthausen moved approval of the Independent Contractor Contract Between Lewis & Clark County and Current Transportation Solutions, Inc. in the Amount of \$19,455, as presented. Commissioner Good Geise seconded the motion. The motion carried 3-0.

Public Hearing. First Reading of Proposed Ordinance No. 2013-1 to Control Litter within Lewis and Clark County and Establishing Procedures for Its Enforcement. (Katie Jerstad) The Commissioners will consider the Ordinance on first reading.

Katie Jerstad, Deputy County Attorney, presented for First Reading the Proposed Ordinance No. 2013-1 to Control Litter within Lewis and Clark County and Establishing Procedures for Its Enforcement. The Ordinance was in response to the Commission's request; the process was initiated in 2010, and was designed to augment the existing Community Decay Ordinance program administered by the County Environmental Health Department. The Environmental Health Division and the Sheriff's Office have drafted a MOU regarding areas of responsibility for enforcement. All parts of the Ordinance were reviewed.

Kathy Moore, Environmental Division Administrator, addressed the benefits of the new complaint-driven Litter Control Program, designed to augment the Community Decay Program. It would provide for more responsiveness to citizens, shorter enforcement times, and a cleaner community. Shielding materials from public view provided an instant solution; working with people to avoid enforcement was preferred. The Community Decay Program would remain sensitive to the needs of individuals and the various communities impacted by the Ordinance.

Dave Rau, Undersheriff, stated the Ordinance would provide enforcement opportunities when responding to complaints. Officers will receive training on what was acceptable in differing areas and how to use discretion when handling dispatch calls related to community decay and litter. The enforcement roles of the Environmental Health Division, Sheriff's Office and County Attorney's Office would be governed through a Memorandum of Understanding.

No public comment was received.

Commissioner Hunthausen moved approval of the First Reading of the Proposed Ordinance to Control Litter, as presented, and entertaining a Second Reading on Sept. 3 at the regularly scheduled meeting. Commissioner Good Geise seconded the motion. The motion carried 3-0.

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

Roger LaVoie, 512 Stadler Road, in the Big Sky Subdivision, addressed the newly paved roads in the Big Sky Subdivision, and thanked the County Public Works Dept. and CAP Paving for the excellent work. Mr. LaVoie inquired about the County's plans for improvements to the infrastructure along McHugh Lane to divert floodwaters coming from Ten Mile Creek around the Big Sky Subdivision and urged the completion of improvements this fall.

Eric Bryson addressed the ongoing negotiations with private landowners and utility companies to relocate utilities along McHugh to the farthest west area of the right-of-way, prior to implementing drainage improvements. Negotiations were ongoing with the Trap Club regarding the retention pond and with Forestvale Cemetery regarding the ditch along their property. A review of the Big Sky Subdivision's road improvements would be done to ensure that internal drainage accommodated the new road heights.

There was no other business and the meeting adjourned at 10:14 a.m.

ATTEST:



Paulette DeHart, Clerk of the Board

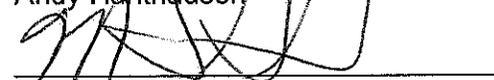
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Michael A. Murray, Chairman



Andy Hunthausen



Susan Good Geise