



PUBLIC MEETING

May 28, 2015

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, May 28, 2015, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Andy Hunthausen called the meeting to order at 9 a.m.

Commissioner Susan Good Geise was present. Commissioner Mike Murray was excused on personal business. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Jim Wilbur, Eric Griffin, Drenda Niemann, Matt Heimel, Greg McNally, Art Pembroke, Teha Hatfield, Joe Norcross, Dave Burch, Judy Johnston, Al Knauber, Matt Witkos and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2015-72 Declaring County Property Surplus Property. (Amy Reeves)

Eric Bryson reported on the consent action item 2 a and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Professional Services Contract between Lewis & Clark County and Robert Peccia & Associates, Inc. (Audra Zacherl)

Eric Griffin, Public Works Director, presented the professional services contract between Lewis & Clark County and Robert Peccia & Associates, Inc. for engineering services on the Western Federal Lands Highway Division, Federal Lands Access Program, Beartooth Road Resurfacing Project. Western Federal Lands has granted Lewis & Clark County funding for improvements to the Beartooth Road to include asphalt leveling and overlay on six miles; roadway reconditioning and aggregate surfacing, including improving pullouts on 2.7 miles; and safety improvements including guardrail, signage, delineators and pavement markings. Total cost of the project is budgeted at \$4,073,000 and the County has a signed reimbursable agreement with Western Federal Lands. This contract with Robert Peccia & Associates is for \$351,136 and will provide preliminary design, environmental compliance, permitting, final design, and construction engineering for the project and extends through May 31, 2017. The reimbursable agreement allows for \$548,000 in engineering expenses for these activities.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

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No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Letter of Agreement between Water Quality Protection District and Montana Environmental Trust Group. (Jim Wilbur)

Jim Wilbur, Water Quality Protection District Coordinator, presented the letter of agreement between the Water Quality Protection District and the Montana Environmental Trust Group to provide funding in the amount of \$12,000 for the USGS stream measurement station (gauge) on Tenmile Creek near Rimini through September 30, 2019.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Independent Contractor Agreement between Lewis & Clark County IT&S and Integrated Information Solutions, Inc. (Art Pembroke)

Art Pembroke, IT&S Director, presented the independent contractor agreement between Lewis & Clark County IT&S and Integrated Information Solutions, Inc. for iSeries technical support and emergency services support in the amount not to exceed \$15,000. The contract will begin July 1, 2015 through June 30, 2018.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Contract Amendment No. 1 between Lewis & Clark County IT&S and CompuNet, Inc. (Art Pembroke)

Art Pembroke, IT&S Director, presented the contract amendment to the original contract dated October 15, 2014 between Lewis & Clark County IT&S Department and CompuNet, Inc. in the amount of \$5,000 and will allow for completion of the configuration and implementation of the Informast Alert System for the law enforcement center, dispatch center and the courthouse.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Task Order 16-07-5-01-075-0 to Lewis & Clark County for Healthy Montana Families Project. (Drenda Niemann)

Drenda Niemann, Community Health Promotion Division Administrator, presented the the task order for the Healthy Montana Families Project Contract between the Montana Department of Public Health & Human Services and Lewis & Clark Public Health in the amount of \$80,163.50 for home visiting and family support services. Approximately 90% of referrals come through the WIC program and through partnerships with local doctors who can assist in identifying those in need of services. The task order is effective July 1, 2015 through June 30, 2016.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Task Order 16-07-5-21-084-0 to Lewis & Clark County for the WIC Farm Direct Program. (Drenda Niemann)

Drenda Niemann, Community Health Promotion Division Administrator, presented the task order for the WIC Farm Direct Contract between Montana Department of Public Health & Human Services and Lewis & Clark Public Health in the amount of \$790 to provide Farmers' Market nutrition education and checks to eligible WIC participants. The program allows WIC participants to spend \$30 at the local farmers market to buy fresh fruits and vegetables. The task order is effective July 1, 2015 through June 30, 2016.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Proposed Minor Subdivision to be known as the Antelope Hill Subdivision. (tabled 4/23/2015) (Applicant: Jake & Jana Gruber) (Planner: Matt Heime)

Matt Heime, Special Districts Planner, presented the proposed minor subdivision to be known as Antelope Hill Subdivision. On April 23, 2015 the proposed subdivision was tabled to today's date at the request of the applicant. The applicant has requested to formally withdrawal the application.

No public comment was received.

Resolution 2015-71 A Resolution Levying and Assessing a Tax Upon All Benefited Property Within the Big Valley-Cabin Road Rural Improvement District No. 2015-2. (tabled 5/26/15) (Matt Heime)

Matt Heime, Special Districts Planner, presented resolution 2015-71 levying and assessing a tax upon all benefited property within the Big Valley-Cabin Road Rural Improvement District No 2015-2. The resolution was tabled on May 26, 2015 as a result of public testimony received. A protest letter has been received. The basis for protest is the location of the property within the district. When reviewing a benefited property within a proposed RID, the planning department looks at criteria on whether or not the property abuts an approved or maintained road and whether the property benefits from an Improvement.

Commissioner Geise asked Matt Heime if he had the opportunity to discuss the findings with the individual who is in protest.

Matt Heime, stated that he did further discuss the findings with the individual. Under the resolution the Commission may alter the boundaries of the RID once per year. In order to exclude a resident from the RID, the resolution would need to be revised to alter the boundary.

PUBLIC COMMENT-

Teha Hatfield, 8648 Diamond Springs Drive, asked the Commission if it is a fair tax to be taxed as two subdivisions as the resident who protested is also being taxed under the Big Valley Subdivision.

Upon no further testimony or comment, Commissioner Hunthausen stated that the public comment is now closed.

Matt Heimel stated that in the prior Big Valley RID the scope of service did not extend to the roads that are in the proposed Big Valley-Cabin RID.

Michele Peterson-Cook, Deputy County Attorney, stated that when benefiting properties are determined it is not determined by what subdivision the property is in but who is a benefiting property. What subdivision the property is in does not dictate what RID you are. There are multiple property owners within the County that are apart of multiple RID's.

Matt Heimel, stated that are areas where there are overlaps between multiple districts.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Buy-Sell Agreement for the Greyn North 40 Property. (Eric Bryson)

Eric Bryson, CAO, presented the buy-sell agreement for the Greyn North 40 Property and asked for the Commission to authorize him to execute closing documents if required. A local architectural firm was hired in conjunction with a national firm who specializes in detention center construction and under that contract the scope of work was for the firm to provide preliminary design of a public safety facility and site selection. Among the criteria for site selection was traffic congestion, response time for the Sheriff's Department, proximity to areas of concerns such as schools or parks and access to the interstate and highway. The high priority choice was the City of Helena lot north and west of the City Treatment Plant. The adjoining parcel owned by the Greyn Family Trust nominated themselves for review. The two sites are at the top of the list based upon the criteria used by the consultants. The buy-sell agreement before the Commission today as it stands has been reviewed by the Trust representative along with a request to change the language beginning on line 145 on page 3. The intent is if a public safety facility was built on the property that we intended to acquire, there would be no rebate program in place for adjacent property owners to connect to water and waste water utilities extension. The Trust has provided a change in the language for review of the Commission however the intent still applies that there will be no rebate assessed by us, the purchaser, to extension of water and wastewater utilities to adjoining properties still held by the Greyn Family Trust. The change in language has been submitted to the County Attorney's office and the City of Helena for review. The purchase price was set based upon the appraisal for roughly 40 acres in the amount of \$1,150,000. The anticipated closing date is August 3, 2015. In the event that we are unsuccessful in November, we will still continue with the land acquisition as it will allow us flexibility for land exchanges or finalize the land for future development. We will then look to revise the plan in terms of construction and size with location being taken off the table. We still have a detention facility that is designed for 54 or 56 beds and the County is currently averaging over 100 inmates in their care in that facility and other facilities across the state.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

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

PUBLIC COMMENT-

Dave Burch, resident of Hahn Tract Subdivision, expressed his thanks to the staff of the County that has assisted in road grading and limited maintenance of the road. One concern of Mr. Burch's is that Hahn Road is a County road and is not well maintained in his opinion. With new development in the area Mr. Burch would like clarification on whether or not it's a County road and if so, would the County be responsible to maintain the road and what options are available for the home owners in the area. Mr. Burch stated that issues the residents see include: dust, speeding, pot holes and general degrading of the road.

Judy Johnston, resident of Hahn Tract Subdivision, presented a letter to the Commission requesting that the County resolve the current issues that the subdivision is seeing along Hahn Road. Ms. Johnston reiterated the road conditions presented Mr. Burch.

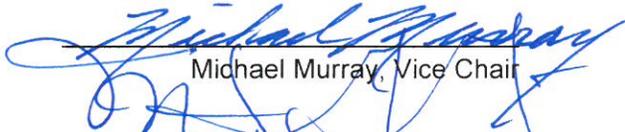
Eric Griffin, Public Works Director, stated that the County Public Works Department has graded the road on multiple occasions and that the road is on their snow plow route. Those are the basic services that the County Public Works Department is capable of doing at this time due to time and budget constraints.

Adjourn

There being no further business, the meeting adjourned at 10:16 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman



Michael Murray, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board