



## **PUBLIC MEETING**

August 9, 2016  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 9, 2016, at 9:00 AM in Commission Chambers Room 330.

### **Roll Call**

Chairman Mike Murray called the meeting to order at 9 a.m.

Commissioner Susan Good Geise and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, K. Paul Stahl, Nancy Everson, Matt Heimel, Kevin Hamilton, Sheriff Dutton, Undersheriff Rau, Captain Jason Grimmis, Sgt. Scott Ferguson, Jim McCormick, Andrea Silverman, Vickie Edwards, Kim Patterson, Al Knauber, and Nichole Nisbet, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Public Meeting Minutes: July 14, 19, 21, 26 and 28, 2016. (Nichole Nisbet)
- b. Resolution 2016-70 Declaring County Property Surplus Property. (Amy Reeves)
- c. Resolution 2016-71 Declaring County Property Surplus Property. (Amy Reeves)

Eric Bryson reported on consent action items 2 a-c 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 3-0 vote.

### **Open Lands Program Lincoln Community River Park Acquisition Project. (Sponsor: Five Valleys Land Trust) (Planner: Matt Heimel)**

Matt Heimel, Special Districts Planner, presented the proposed Open Lands Program Lincoln Community River Park Acquisition project. The level 2 application requests \$113,300 from the County Open Space Bond Fund, proposed to be applied to the acquisition price of the property. The property is approximately 9.455 acres in size and located east of and adjacent to Stemple Pass Road, south of and adjacent to the Blackfoot River and approximately .6 miles South of Lincoln. On August 2, 2016, the Citizens Advisory Committee voted to recommend to the Board of County Commissioners that the Lincoln Community River Park Acquisition Project receive priority funding of \$85,000, and that the level 2 application, which has been deemed complete, is subject to County legal staff's review to confirm its compliance with the due diligence requirements of the Open Lands Program Guide. This recommendation is based on a determination that the level 2 application meets project evaluation criteria

for protecting habitat for fish and wildlife, providing opportunities for outdoor recreation, protecting water resources and water quality, preserving open lands and natural areas and managing growth and development. Also included in the motion was a recommendation to the Board of County Commissioners that it give favorable consideration to the Applicant's request for reimbursement of its transactional costs in an amount up to \$28,300. The CAC voted unanimously on the motion.

#### PUBLIC COMMENT-

Vickie Edwards, Five Valley Land Trust, stated partners include Prickly Pear Land Trust (PPLT) and Paul Roos who is the landowner. The landowner purchased the property last year and intends to conserve the area as a park. The property is located along the Blackfoot River. Ms. Edwards noted conservation easements and work that has been done in the Lincoln area to preserve land. She noted the park can provide public access and opportunities for outdoor recreation, fish and wildlife habitat, open space and natural areas, water resources and water quality and management of growth and development. It was noted that there is no future plan for development on this property and work is being done to ensure the property is reserved for open space. She noted the total estimated project cost is \$134,600, they are requesting \$113,300 to cover the acquisition costs.

Commissioner Geise asked about the acquisition costs that include the Phase 1 environmental review.

Vickie Edwards stated a Phase 1 environmental review was required as part of the application.

Commissioner Geise asked about the stewardship fee.

Vickie Edwards stated the stewardship fee is a requirement of Five Valley Land Trust since they are accredited. Being accredited it requires a stringent review on how they keep their records and steward their land during and after acquisitions. The fee ensures the review is done on an annual basis.

Commissioner Hunthausen asked about the stewardship fee and whether or not it fits into the bond language and if future costs for managing the property should be part of that fee.

K. Paul Stahl, Deputy County Attorney, stated the attorney's office will need time to review the bond language.

Commissioner Hunthausen stated the County needs to define what they will allow in terms of costs to acquire property. He stated he is not sure the intent of the bond language will cover a stewardship fee. He stated with most projects there are significant funding partners involved and he believes the intent of the bond language states the County will be a partner and pointed out there are not partners with hard cash in this proposal.

Vickie Edwards stated they applied for additional funding last year and did not obtain that funding. She noted there is a buy-sell agreement in place with Mr. Roos that will expire in December and noted that from a partnership standpoint they are taking on an immense part by taking on the ownership of the land and the responsibility of a public park at the benefit of the community.

Commissioner Murray stated he agrees with Commissioner Hunthausen's concerns and noted the County generally funds 40-60% of projects and is not normally the sole cash provider.

Kim Patterson, CAC member, reiterated the CAC's support for the project and believes this would be a great investment for the County and community of Lincoln.

A motion was made by Commissioner Geise to open a 30-day comment period for the proposed Lincoln Community River Park acquisition project. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

#### **Call For Election on November 8, 2016. (Nancy Everson)**

Eric Bryson presented the proposed renovation plan for the current detention facility. He noted changes implemented from 2011 that include the Jail Working Group, Criminal Justice Coordinating Committee that look at and address detention inefficiencies. A consultant was hired to look at historical institutional data to assist in looking at the long term detention needs. Slate Architecture was selected in 2015 to

assist in the process of selecting an alternative site, design a new detention facility and bring forward a proposal to address the needs of the detention facility. The second task order was brought forward to remodel the basement of the current detention facility which was not feasible. The current task order before the Commission was to remodel the entire detention facility. The new proposal uses all available space in the existing building and will hold approximately 160 inmates however it was noted that the functional capacity is 131 inmates. He noted that today the County has an inmate count of 106 inmates in our facility that is built for 54, with beds for 80; the total number that the County is responsible for is 136. The current proposal would cost approximately \$100 a year for a \$200,000 home. The duration of the proposed levy is over 15 years. He noted the problem does not go away in 15 years when the permissive levy is over. He noted the options the County has reviewed and evaluated since last November and noted the plan before the Commission is a 15 year plan, not a long term solution. Changes have been made to the criminal justice system that include pretrial services, the pretrial diversion program (24/7 program), changes in arrest and sentencing practices to address system inefficiencies.

Nancy Everson, Chief Finance Officer, presented the call for election on November 8, 2016. There are two resolutions before the Commission today. The first resolution is the general obligation bond in the amount of \$6,500,000 for the purpose of funding the design, remodeling, equipping, furnishing and financing of the County's existing detention center facility to provide holding capacity for approximately 160 inmates and providing the number of years through which the bonds are to be paid at 15 years at 4% interest. It was noted that both issues have to pass as they are contingent on each other.

Eric Bryson reviewed the proposal that converts the entire law enforcement center to detention center space. He noted the proposal does include programming for mental health, classes and all additional programming needs. He stated the proposal does not meet our future needs and reiterated that we need to fix our system while addressing the current needs of our detention center.

Commissioner Hunthausen noted the programming that is needed to reduce the number of inmates in our detention center.

Commissioner Murray asked if the fourth floor occupants, being the radio communications equipment, will be relocated with the proposal.

Sheriff Dutton stated they will not have to move with the current proposal.

Commissioner Geise asked the Sheriff what we are doing about the use of drugs.

Sheriff Dutton stated there is a multi jurisdiction drug task force that works the streets and noted that in 2002 we were declared a high traffic drug area that allows us to work backwards to find the source of a drug deal. He noted that education and reducing the demand is one way to fight the battle and the other is to fight the source directly. It was noted that the money used for out of County holds could be put back into the war on drugs. There is a limited budget however the Sheriff's Office is doing everything they can.

Nancy Everson stated the second resolution is calling for an election on the question of establishing an annual levy for 15 years for maintenance and operation costs for the County's proposed remodeled detention center in an amount up to \$4,000,000 annually or up to 31.75 mills for the facility including additional staff, services and programs to cover operation and maintenance costs. The County estimates the tax increase for the levy for a home in the County valued at \$100,000 would be an annual increase of \$42.86 and for a home so valued at \$200,000 would be an annual increase of \$85.72. The levy includes additional staffing needs (estimated at 38 FTE's), programming and increased operation costs associated with operating a 3 floor detention center.

Eric Bryson reiterated the programming aspect that is included in the proposal. He noted without programming you cannot change the curve of demand for detention center beds.

Sheriff Dutton introduced Undersheriff Dave Rau, Captain Jason Grimmis and Sgt. Scott Ferguson.

PUBLIC COMMENT-

Jim McCormick, 2001 Floweree Street, stated he recently toured the facility and was shocked by the jail population. He noted the logistic challenges in the facility and noted those cannot be deferred and stated the need to deal with this as a community and as a County.

A motion was made by Commissioner Hunthausen to approve resolution 2016-72. The motion was seconded by Commissioner Geise. The motion Passed on a 3-0 vote.

A motion was made by Commissioner Hunthausen to approve resolution 2016-73. The motion was seconded by Commissioner Geise. The motion Passed on a 3-0 vote.

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

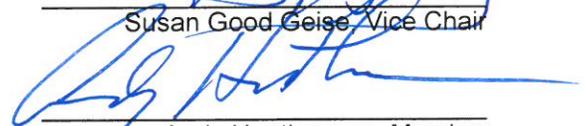
**Adjourn**

There being no further business, the meeting adjourned at 10:52 am.

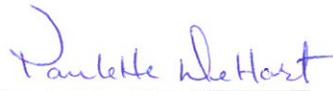
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael Murray, Chairman

  
Susan Good Geise, Vice Chair

  
Andy Hunthausen, Member

ATTEST:

  
Paulette DeHart, Clerk of the Board