



PUBLIC MEETING

November 14, 2017

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, November 14, 2017, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen and Commissioner Jim McCormick were present. Others attending all or a portion of the meeting included Roger Baltz, Dave DeGrandpre, Nicho Hash, Bob Drake, Kelly Johnston, Elaine Marcille, Greg McNally, Molly Mowery, Kelly Pohl, Roger Smith, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Grant Award to Lewis and Clark County Sheriff's Office from Montana Disaster and Emergency Services. (Roger Smith)

Roger Smith, Communications System Administrator, presented the grant award from Montana Disaster and Emergency Services in the amount of \$139,879, with no local match. The funds are for the statewide public safety microwave network and to be used for salary and operational costs of the Communications System Administrator. The grant period begins October 1, 2017 through September 30, 2018. Staff recommends approval.

Mr. Smith gave an overview of what the service provides. After 9-11, the Federal government came up with available grant monies for the states and local jurisdictions to improve interoperability communications. They built a statewide network that improves public safety communications and also partnered with other agencies such as the Air Force, who uses the system to tie in their trunking radio system for their missile range; as well as the local county trunking system goes into the microwave network in order to go back to the Law Enforcement Center (LEC) for the controller; a controller in Sidney, which is tied to the local controller; numerous counties around the state; other cities; the Highway Patrol; the FBI. He maintains the microwave network across the state that ties everything together.

Mr. Smith explained the state is currently split from Saco down to a site outside of Big Timber and all of those communications go to the LEC in Lewis and Clark County with everything east of that going to the controller in Sidney. The controller works the same way as a cell phone for the

land-mobile radio through the trunking system. The trunking is all digital with some analogue components riding on the microwave, of which control circuits are supplied. The Highway Patrol from the main dispatch in Helena controls most of their radios via the microwave network. Most of the Counties involved have mobiles and portable radios that can interface with it and depending on the configuration; ambulances, fire, law enforcement, corrections can all be tied into it. There are also emergency talking groups for when emergencies arise.

Mr. Smith gave a brief overview of where the microwave network runs in the county and the significant systems that branch off of those locations. He stated he averages from 3,500 to 5,000 travel miles per month.

Mr. Smith added that some counties have chosen to stay on the old analogue method, Cascade County being one, however Great Falls with a large police force as well as the fire department are currently on the trunking system. Some of the jurisdictions thought because of technical changes and updates it would be better to keep the old analogue. There are a higher percentage of counties moving to the trunk system across the state. Going east there was not enough funding to complete all of the trunking sites, so smaller counties still do not use the network. Mr. Smith explained each trunking site has a conventional repeater, if configured properly people with analogue radios can talk over that. He further explained during an incident there is a communications operation and how to communicate during an incident. It is setup where the command center will use the trunk system and then the analogue assets will be used for the localized points and they do tie together.

Mr. Smith stated there are currently nine dispatch centers across the state tied back to the local controllers, which allows them to be able to patch at a high level both analogue and trunking.

PUBLIC COMMENT -

Bob Drake, Tri-Lakes Fire Chief, stated he sat on the statewide interoperability governing board for many meetings. There are currently no maintenance agreements on any of the microwave systems. The microwave system is the backbone of all the communications between the counties and the cities. It is being held together with parts that can be found. The challenge is it has been built over the years, about twenty years. Some of the parts of the system need to be updated and parts are no longer available. At the state level about \$12 million was asked for and received \$2 million, which is not going to accomplish what is needed. All analogue or trunking, Lewis and Clark County was the demonstration project for the trunking system; when applying for the grant it had to say trunking or money would not be received. The frequency band chosen was VHF and now is no longer available. Have to share frequencies and now as a matter of growth being forced to share more stuff; which is what the trunking system does.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Presentation of the Community Planning Assistance for Wildfire (CPAW) Recommendations for Lewis and Clark County. (Planner: Greg McNally)

Greg McNally, Planner II, presented the recommendations from CPAW. In the fall of 2016, Lewis and Clark County was one of five jurisdictions across the country selected by the CPAW program to receive technical consulting services on how to reduce wildfire risks through improved land-use planning. This is an opportunity for Lewis and Clark County to step forward as a leader in the state. The CPAW team has assembled a set of four voluntary recommendations for the County to augment existing strategies to reduce wildfire risk through appropriate land-use planning tools.

Mr. McNally introduced the presenters: Molly Mowery with Wildfire Planning International; Kelly Johnston, CPAW Team Leader; Dave DeGrandpre has been working with the CPAW team; Kelly Pohl with Headwaters Economics.

Molly Mowery, stated one of the images shown earlier in the year, structures lost to wildfire is already out-of-date. The CPAW program is committed to finding the appropriate land-use planning tools to address structure loss and wildfire risk. CPAW was founded in 2014, co-founded between Wildfire Planning International and Headwaters Economics. The partnership provides a niche and an opportunity for free technical planning assistance to communities. They select communities they believe will have success in the long run with addressing wildfires. This is a unique program. She showed a list of all the communities they have worked with and will begin working with.

The first site visit was in February 2017. They come in with national expertise but rely on the local stakeholders to understand the planning context. The second site visit was in July 2017. At that time they worked with local experts on risk. The process is a number of County relevant documents are reviewed, as well as State codes, which results in a final report. The four primary voluntary recommendations are: update wildfire hazard assessment; strengthen subdivision regulations; adopt a wildland-urban interface code; and update growth policies to comprehensively address wildfire.

Kelly Johnston gave an overview on recommendation one to update wildfire hazard assessment. This is centered on the idea that any land-use planning or regulations proposed require a solid decision support system; this assessment is key in the case of wildfire. He noted the Tri-County Fire Safe Working Group has done excellent work. From that work they focused more inwards towards the built environment rather than outward, the forest. He gave an overview of the three components of wildfire risk: likelihood, intensity, and susceptibility and the importance to clearly define what the wildland-urban interface (WUI) is. A suggested definition of the WUI centers on the idea that fire can start and spread through both vegetation and the built environment or the structures and infrastructure; with recommendation this be consistent across all County documents. The Rocky Mountain Research Station identified the WUI areas based on national methodologies. It is a reference between wildland fuels or forest fuels and structure densities. He explained the interface; very high density structures without wildland fuels, but can be affected through embers and intermix; a mixture of vegetation and structures. A missing component is the assessment of what impact the fire will have on structures; requires significant work. The hazard assessments have been produced at the landscape, local, and mitigation potential levels; an overview was given.

Ms. Mowery gave an overview on the second recommendation to strengthen the subdivision regulations. How can the regulations be strengthened to ensure developments are being reviewed in a consistent way with reducing wildfire risk. One implementation guidance point is to refer back to the new hazard assessment. Discussions with staff showed the Rural Improvement District was an opportunity to think about where funding might come from to support long term vegetation management in subdivisions.

Mr. Johnston gave an over view on the third recommendation to adopt a Wildland-Urban Interface Code. The Subdivision Regulations do not include the building of the building. After approval of final plat there are no criteria for how the building responds to fire. The WUI code addresses vulnerabilities, construction standards, and defensible space surrounding the structure. It must be in line with the subdivision regulations. He explained how the WUI code works in Montana as the State adopted the code with amendments.

Dave DeGrandpre with Land Solutions gave an overview on the fourth recommendation to update the growth policy to further address WUI issues. The 2004 growth policy needs to be updated to comply with Montana State statutes. He referenced the amendment to the growth policy statute that the Legislature passed in 2013; that requires the growth policies to include evaluation of potential for fire and wildland fire in the jurisdictional area as well as a specific

statement whether there is a need to delineate the WUI and adopt regulations requiring defensible space around structures, adequate ingress/egress, and adequate water supplies. Also needed is to adopt the local scale wildfire assessment.

He referenced the Helena Valley Area Plan as a very strong model with certain constraints that can be used in other areas of the County. Also not in the County growth policy for long-range planning, is a plan for post-disaster recovery. Communities that have this in their long-range plans are first in line when it comes to assistance with recovery.

Break/Reconvene

Bob Drake, Tri-Lakes Fire Chief, for the last year has been part of the CPAW team. The questions he asked the team was are we being forward thinking enough to change the picture. These recommendations are very practical and are all tied together. Changing the Subdivision Regulations sets things up to get the developments where they need to be in the beginning. Tying the WUI code into it continues the framework to allow them to keep affecting the outcome and the safety of the residents. He referenced the Subdivision Regulations from 2004/2005 and the impact they had; twelve years later Tri-Lakes Fire has 28 water supplies and two in 2004/2005. The first step was to get basic infrastructure in place. This becomes the natural evolution. He spent a lot of time reviewing the WUI code and they will become more active. There are water supplies and road standards in place.

Commissioner Good Geise stated the people trusted to help protect our homes are primarily volunteer fire fighters. She emphasized the importance of this that they hear from the volunteer fire departments. Mr. Drake stated he keeps the Fire Council updated of the developments. All the fire districts are very different with what they are faced with. After presenting the recommendations to the fire chiefs there was excitement. The challenge he sees; planning is a very slow process. If the WUI code is adopted today for new subdivisions, it will be years before the impact is seen for firefighting on the ground.

Commissioner McCormick referenced from the CPAW report that nearly 50% of the land area is owned by Federal government and 8% is state owned. He asked in the planning how much of the federal, state landscape management component play in the final recommendation.

Mr. Johnston stated the focus of what has been presented would be called a community zone. It is preparing the community for the landscape zone or forest level management activities that occur. In order to provide options on the landscape level; with the biggest constraint what is the risk of the community. A lot of the forests in the area are fire dependent or adapted. These natural processes have not been a part of the forests for a long time, and so there are the occurring problems related to the forest health concerns. At the larger scale the community has to be set up to be resilient to some of those management activities; meaning the built environment has to be resistant to ignition, with managed fuels treatment near the environment, and support for the fire response people needs to be in place. The Community Welfare Protection Plan is a key document in defining the County's role is in interfacing with the Federal and State land managers. One of the biggest reasons the CPAW program is in place is due to more and more money being spent for response, which is taken away from the focus of managing the landscape level.

The US Forest Service budget shows more and more money is being used on suppression. The fires are becoming more expensive due to more time spent preventing fires from encroaching on communities. He listed many other services that the funding gets diverted to suppression. Through mitigation, the implementation of policy, land-use regulations, and management of the larger landscape beyond the community zone; the money spent on suppression can be made less.

Commissioner Hunthausen stated this discussion is more so what can be done around the communities for private lands that are being developed in the WUI.

Ms. Mowery stated this program is specifically focused on how private land can be better developed to be more resilient to wildfire. There are different mechanisms in place to bring stakeholders together for discussion on how to manage the public lands.

Commissioner Good Geise referenced the recommendations on subdivision regulations not addressing building construction and materials and asked if there any counties across Montana who impose this.

Mr. DeGrandpre responded that with regards to other counties in Montana, many are addressing development issues similar to Lewis and Clark County. One challenge in Montana there are three main regulatory options; one is zoning, it can address density and location of developments, also fuels. But zoning cannot address fire resistant building materials that would fall under building codes. Subdivision rules can setup a development to be fire resistant at the out set; such as water access, street names with signs posted. Right now there is not much overlap and local governments are only allowed to do what the state allows.

Mr. McNally stated it was identified early to the CPAW team that throughout the process they were going to work with the community and inform them early and often and will continue to do so if the county chooses to pursue any of these recommendations. Also stressed to the team was the complexity of the land-use policies and codes by State statute. With the CPAW recommendations they are trying to present them to as many people in the community as possible and hope to hear from the community. The statutory requirements for the growth policy are important and they will continue the process; as well as the subdivision regulations, eliminating the gray area and providing clarity for the developers; both will be pursued heavily. The proposed risk mapping is a valuable tool that enhances the work that has been done by the TriCounty Fire Safe Working Group; this is a great opportunity. Will work with the legal team to determine what is feasible and what can be pursued.

Commissioner Good Geise acknowledged the work the CPAW team has done. In closing would like to go back to the State and Federal lands comprise 56% of our County. After this fire season really need to have discussions with the Forest Service and their policies.

Mr. Drake followed up that there is a tremendous amount of knowledge with the CPAW team. The plan for the 10 Mile problem has been going on for seventeen years. He stated the locals need to get more vocal and tenacious to fight for the survival of the community. The mitigation is the only way we are going to control and suppress the ember shower. The only way is to be bold and do it on a landscape basis that will take effort and money. He would like a one mile buffer zone around every Helena National Forest boundary and the private side has to do the same thing. In the last 10 to 15 years it has been found when approaching the forest service, BLM, and other federal and state agencies if private side part is done; they figure out a way as well. The work done on Alice Creek and Lincoln fires is not sustainable. During a fire, when subdivisions are looked at and it is determined it is not safe for anyone to go in to protect; that must be fixed.

No public comment was received.

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 10:49 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



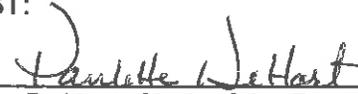
Susan Good Geise, Chair

Andy Hunthausen, Vice Chair



Jim McCormick, Member

ATTEST:



Paulette DeHart, Clerk of the Board