



PUBLIC MEETING

February 27, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, February 27, 2018, at 9:00 AM in Commission Chambers Room 330.

Roll Call

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

Commissioner Jim McCormick and Commissioner Susan Good Geise were present. Others attending all or a portion of the meeting included Roger Baltz, Connie Cole, Christian Dietrich, Nicho Hash, Kathy Moore, Matt Heimel, Peter Italiano, Glenn Marx, Shane Swandal, Rich Whitney, Audra Zacherl, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. State of Montana Vendor Invoice Motor Vehicle Recycling & Disposal. (Kathy Moore)

Roger Baltz 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 McCormick. The motion Passed on a 3-0 vote.

Contract Between Lewis and Clark County and Hulteng CCM, Inc. (Audra Zacherl)

Audra Zacherl, Assistant Director of Public Works presented the contract with Hulteng CCM, Inc. to provide owners' construction representative services necessary for the detention center remodel project. Services provided under this contract will be various types of advisory support and guidance in preliminary planning, cost estimating, coordination of schedules, procurement of the design and construction teams, bond related work and warranty follow up for all phases of the project. Compensation is broken down into the pre construction, construction and post construction phases due to the unknown nature of the level and quantity of work needed. Services will be paid at time and materials during the pre construction and post construction phase; payment for services during the construction phase will be negotiated after selection of the design team and prior to

contracting with the contractor. Contract period is upon signature with work to be completed thirteen months from substantial completion. Staff recommends approval.

Ms. Zacherl gave an overview of the process on the creation of the contract and added that it has taken about six to eight weeks to develop the contract. Similar contracts from other counties were reviewed. Both the County Attorney's Office and a committee have reviewed the contract, along with Hulteng CCM. Mr. Baltz added this is a result of one of the three working groups. Ms. Zacherl added that Hulteng CCM is currently working with Yellowstone County on their detention facility and also with the Helena School District on their construction and remodeling projects that are currently happening. She confirmed with Commissioner Good Geise the reason for a firm like this is their experience with government contracts, to ensure the project is within budget, as county staff does not have the time and experience to devote to the project on a daily basis.

Shane Swandal, Hulteng CCM owner, stated they have worked with government agencies for eighteen years. They understand the process and the laws surrounding the alternative project delivery methods, budgeting, and contracts. Mr. Swandle explained the process and stated that he has already developed the Request for Qualifications (RFQ) for the architecture portion of the project and will specifically work with the user groups at the jail and their needs once the schematics development begins.

Mr. Swandle stated as far as timeline and work load they have looked at this project very closely and that because they do have to be in town for the School District project they feel they are capable of handling this project.

No public comment was received.

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

Resolution 2018-8 to Adopt the Recommendation of the Citizens Advisory Committee for the Lewis and Clark County Open Lands Program Guide. (Tabled 1-23-18) (Planner: Matt Heimel)

Matt Heimel, Special Districts Planner presented the resolution to adopt the recommendation of the Open Lands Citizens Advisory Committee (CAC) to amend the Open Lands Program Guide. The amendment is to provide two application review processes; a standard review and an expedited review. The standard review takes more time with a preliminary indicator of the Commission's opinion prior to the submittal of due diligence materials and the expedited review is the current process with all due diligence materials submitted at the beginning. The flow chart has also been recreated to reflect the two different review processes.

The program guide was last updated in 2014. Since that time, several project sponsors and landowners have commented on the timing and cost of the application process. County staff and CAC members have worked together to address those concerns and in doing so have come up with the amended process.

Mr. Heimel stated that on December 5, 2017 the CAC voted 9-0 to recommend the amendments to the Commission. The Commission opened a 30 day comment period regarding the proposed changes on December 21, 2017 and no comments have been received at this time. The County Attorney's Office is still reviewing questions that were posed by Montana Land Reliance regarding preliminary conditional approval of projects and he anticipates having those responses before the next CAC meeting on March 6, 2018. Mr. Heimel suggested tabling the item until after those questions have been answered and the CAC has time to respond and work out the changes.

PUBLIC COMMENT -

Connie Cole, Chair of CAC, stated in the CAC is close to being done with the changed. Mr. Dietrich with Montana Land Reliance has offered to draft the necessary language for the amended changes.

Commissioner Good Geise stated that she is concerned about a pre-approval process and the ramifications of such a process. Ms. Cole responded that she understands the concerns and has visited with other counties that have such a process and that those concerns can be eased with a draft conservation easement. None of the other counties have experienced a problem that was not able to be addressed.

Glenn Marx, Executive Director of Montana Association of Land Trusts, stated there are three other counties in Montana that have open land bonds. Those counties have structured their processes to be as predictable and stable as possible and to respect the participation of the landowner from the very beginning.

Commissioner Good Geise stated regardless of how things move forward she wants it to be clear that that CAC is not tasked with the financial responsibility; that it be clear the financial decision lie with the Commission.

A motion was made by Commissioner McCormick to table the item to April 5, 2018 at the regularly scheduled meeting. The motion was seconded by Commissioner Good 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 9:42 a.m.

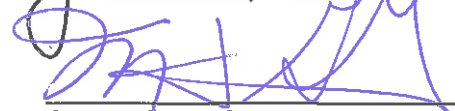
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair




Jim McCormick, Vice Chair



Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board