



PUBLIC MEETING

April 28, 2022
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, April 28, 2022, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Chair Jim McCormick called the meeting to order at 9 a.m.

Commissioner Tom Rolfe and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Roger Baltz, Marni Bentley, Phil Gonzalez, Charles Lane, Kevin Wright, Lindsay Morgan, Audra Zacherl, Mary Hollow, Candace Payne, Mark Jeudeman, Kathy Jeudeman, Travis Vincent, Kevin Jeudeman, Molly Brown, Tyrrell Hibbard, Dennison Rivera, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Proclamation Declaring May 1 through May 7, 2022, as National Small Business Week.

Commissioner McCormick read the proclamation declaring May 1 through 7, 2022 as National Small Business Week in Lewis and Clark County.

Consent Action Items

- a. Vendor Claims Report for Week Ending April 29, 2022. (Marni Bentley)

Roger Baltz, Chief Administrative Officer, reported on consent action item 2a and recommended approval.

No public comment was received.

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

Grant Application to the Montana Board of Crime Control. (Jess Metcalf)

Kevin Wright, Sheriff's Office Captain, presented the grant application to the Montana Board of Crime Control for the Violence Against Women Act (VAWA) grant. The funds are to be used for salary costs of

the Sheriff's Office VAWA coordinator with matching funds of 25% from the Sheriff's Office. The grant period begins October 1, 2022 through September 30, 2023. Staff recommends approval of the application to the Montana Board of Crime Control.

Captain Wright gave an overview of the VAWA program and the coordinator position.

No public comment was received.

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

Amendment to Interlocal Agreement Between Lewis and Clark County and the City of Helena.
(Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the amendment to the interlocal agreement with the City of Helena for management of solid waste operations at the county landfill and permit account management for the Scratch Gravel Solid Waste District. When the agreement was signed in January 2017 it stipulated that the city and the county would agree to negotiate an annual cost for these services. The last compensation period negotiated was July 1, 2019 through June 30, 2020. Three amendments will catch up for the final three years of the agreement. The first amendment, Attachment D is for July 1, 2020 through June 30, 2021 with no negotiated cost increase, it will remain at \$125,000. Staff recommends approval of Attachment D of the interlocal agreement with the City of Helena.

No public comment was received.

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

Amendment to Interlocal Agreement Between Lewis and Clark County and the City of Helena.
(Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the amendment to the interlocal agreement with the City of Helena for management of solid waste operations at the county landfill and permit account management for the Scratch Gravel Solid Waste District. When the agreement was signed in January 2017 it stipulated that the city and the county would agree to negotiate an annual cost for these services. The last compensation period negotiated was July 1, 2019 through June 30, 2020. Three amendments will catch up for the final three years of the agreement. This second amendment, Attachment E is for July 1, 2021 through June 30, 2022 with no negotiated cost increase, it will remain at \$125,000. Staff recommends approval of Attachment E of the interlocal agreement with the City of Helena.

No public comment was received.

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

Amendment to Interlocal Agreement Between Lewis and Clark County and the City of Helena.
(Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the amendment to the interlocal agreement with the City of Helena for management of solid waste operations at the county landfill and permit account management for the Scratch Gravel Solid Waste District. When the agreement was signed in January 2017 it stipulated that the city and the county would agree to negotiate an annual cost for these

services. The last compensation period negotiated was July 1, 2019 through June 30, 2020. Three amendments will catch up for the final three years of the agreement. This third amendment, Attachment F is for July 1, 2022 through June 30, 2023. This is the last year of the interlocal agreement. A negotiated cost increase of \$25,000 for a total payment to the City of Helena of \$150,000. Staff recommends approval of Attachment F of the interlocal agreement with the City of Helena.

No public comment was received.

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

Canyon Cattle Open Space Bond Level II Application. (Applicant: Prickly Pear Land Trust)
(Planner: Phil Gonzalez)

Phil Gonzalez, Planner I, presented the Canyon Cattle Open Lands application that seeks a conservation easement on 3,975 acres of a highly visible and productive cattle ranch with approximately 5 miles of shoreline along the Missouri River. Two portions, each no larger than 20 acres that contain existing development, will be removed from the proposed conservation easement. The proposed easement would act as a backdrop to four fishing access points within the five miles of shoreline along the Missouri River. The appraised value is \$3,600,000. Prickly Pear Land Trust (PPLT) filed a Level Two application on February 23, 2022 and was presented to the Citizens Advisory Committee on Open Lands (CAC) on March 1, 2022. The recommendation from the CAC is approve the project. Staff has received four public comments, all in support of the project. Staff recommends accepting the CAC recommendation and approve the proposed assistance in the purchase of the conservation easement.

Mary Hollow, Prickly Pear Land Trust Executive Director, gave a brief overview of PPLT and their three programs. She provided slides depicting the property, property specifics, open space bond goals and the finances. She added PPLT will bring received public comment to the Commission over the next 30 days should the comment period be opened. She discussed conservation easements and the importance of their partnership with the agriculture community.

Mark Juedeman, owner of the Canyon Cattle Ranch, thanked the Commission for this consideration.

Discussion occurred regarding the financing and the normal expenses associated with the process.

Mr. Gonzalez explained the difference between an expediated application process and the level two application process. He gave an overview of the CAC and their duties during an open land application process. He added the CAC reviews the application for each element of the bond authority.

Charles Lane, Deputy County Attorney stated there is not a 50% requirement. A question was brought up about the \$150,000 and how that was going to be used. The landowners are asking the county for well below the total easement value. If they are going to use that for reimbursement cost, that is their business, it is not earmarked for that expense. The open public process is a commitment for the landowners to go through, which includes a 30-day comment period and conditional approval. That is the time to have the discussion of the financial commitment of the County, so that the landowner does not go through the cost and process of due diligence and be presented with a different number later on.

PUBLIC COMMENT -

Tyrrell Hibbard, Board Member of PPLT, commended the Juedeman's for their foresight to conserve their land. He fully supports the application.

Glenn Marx, Montana Association of Land Trust, stated he is in full support of the project, and it is a remarkable project. Montana is nationally recognized as a conservation easement leader. He commends the Juedeman's for making a \$1.8 million contribution.

A motion was made by Commissioner Hunthausen to open a 30-day comment period and set a date of June 7, 2022. The motion was seconded by Commissioner Rolfe. 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.

Dennis Rivera, House District 79 candidate and small business owner, urges County Commissioners to support local businesses by help by cutting red tape and making sure the government is limited to telling small businesses how that business should be conducted.

Adjourn

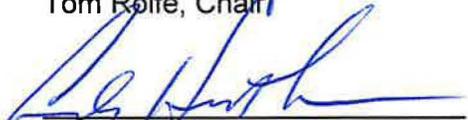
There being no further business, the meeting adjourned at 10:21 am.

Meeting minutes approved on 01/31/2023

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Tom Rolfe, Chair



Andy Hunthausen, Vice Chair



Candace Payne, Member

ATTEST:



Amy Reeves, Clerk of the Board