



PUBLIC MEETING

March 29, 2022
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, March 29, 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, Casey Hayes, Charles Lane, Phil Porrini, Amy Reeves, Nancy Everson, Conrad Everts, Loy Chvilicek, Michael Leach, Mary Tapper, Elizabeth Hale, Dan O'Malley, Corrine Tibert, Joann Langel, Ruther Rater, Donna Elford, Bettijo Star, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Bid Opening. Body Scanner. (Casey Hayes)

Casey Hayes, Purchasing Officer, presented the bid opening for the purchase of a body scanner. Two bids were received. The first bid is from Brian Hall of St. Michael, MN, the manufacturer is Tech84 for a base bid amount of \$132,900. The last bid is from Case of Tucson, AZ for a base bid amount of \$99,500.

Dan O'Malley, retired Lewis and Clark County Detective, currently works for Montana Association of Counties, gave an overview of the body scanner to be used in the Detention Center that would keep the detention officers and inmates safer.

Mr. Hayes explained funds were allocated from the American Rescue Plan Act.

PUBLIC COMMENT -

Elizabeth Hale, Helena resident, thanked the Commission for taking care of the issue.

A motion was made by Commissioner Hunthausen for staff to take the bids under advisement and make a recommendation to the Commission on April 12, 2022. The motion was seconded by Commissioner Rolfe. The motion Passed on a 3-0 vote.

Task Order No. 1 Between Lewis and Clark County and KLJ Engineering, LLC. (Phil Porrini)

Phil Porrini, Fair Board Chairman, presented the task order with KLJ Engineering, LLC in the amount of \$199,822.40 for engineering services needed for the Fairground Paving Project. The scope of work included in this task order are project scoping, topographic mapping, geotechnical investigation, quality management, coordination meetings, parking lot design, traffic design, storm water drainage design, funding assistance, and final construction plan specifications. This task order does not construction administration, which will be presented at a later date. The work is to be completed no later than August 8, 2022. Staff recommends approval of the task order with KLJ Engineering, LLC.

Mr. Porrini gave an overview of the fairgrounds parking situation that has been an issue since 2008 when the grandstands and exhibition hall was built. There was not enough money to do any work surrounding the building. There was a stimulus in 2009 that allowed for some work in paving, sidewalks, and curbs. In 2018, additional plans were made for improvements, but failed voters' approval. He added the fairgrounds have year-round activities. The engineers design will be tailored to fit the County's budget for the project.

Roger Baltz, Chief Administrative Officer, stated a budget of \$3 million does not exist for the fairgrounds. The fairgrounds needs have been discussed at the public American Rescue Plan Act (ARPA) meetings. There has been \$2 million dollars set as a placeholder.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner Hünthausen. 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.

Elizabeth Hale, Helena resident, stated they are concerned about the funds that came into the area through Centers for Technology and Civic Life (CTCL) funds that might have affected the election. She gave a list of what funds were intended to go where. She read from an email she received and pointed out a quote from the Czech Republic from the Prague newspaper. They want to make sure everyone's vote counts. They are concerned about decisions being made that are not in the public's best interest. Was money brought in that wasn't used in the best use?

Conrad Evarts, 2416 Wilder, discussed the HAVA 2020 grant that was approved March 25, 2022. He explained that the plan states temporary staff would start on April 1, 2022 for the Montana elections. He wanted to know how important Montana votes are and the subsequent software that has been developed. So, he contacted the Secretary of State and election integrity is important in the present endeavors. He requested five things from the Clerk & Recorder, Amy Reeves, including postings, job description and requirements, interview questions, scoring system, and temporary workers names. The response he received on Monday was confusing as Ms. Reeves' response stated temporary employees will not be paid under the grant.

Loy Chvilicek, distributed handouts that included a letter from CTCL to Audrey, list of counties awarded CTCL money, and data compiled by Seth Keshell. She discussed if the Commissioners were aware when they accepted the CTCL funds it is against the law, per Montana Code Annotated to receive such funds. She provided history on the CTCL that is now defunct. They have proven that they have hacked the voting machines in milliseconds. They know that the machines do not have to be plugged in to the internet to count votes. She discussed and read from an affidavit of a gentleman out of Lake County, Montana that was able to get into a machine in Michigan. She knows the Commissioners have taken an oath that you have promised to the citizens to protect and serve the citizens. There will be more coming out in the future regarding the voting machines. The County Commissioners should throw away the

voting machines and get watermarked paper ballots. If nothing is done to get rid of the machines, she will have to hold the Commissioners accountable.

Mike Leach, born and raised in Helena, discussed his experience in computers. He is very concerned about the ENS machines and there is no transparency. He learned number one is the integrity of the data. He discussed processors and algorithms. These machines can be programmed to split a vote. It scares him that the machines have no transparency, the machines cannot be opened. the only way to find out what is going on with the machines is to do a forensic while the machine is running, and he believes that needs to be done in Lewis and Clark County.

Donna Elford, resident, is concerned about the integrity of the elections and she wants to know why an approved grant was not followed through the way that it was "put out". She has big concerns as to the integrity of the voting machines. At Lewis and Clark Republican Women Club, she asked how many believed the election was stolen and every person raised their hand.

Loy Chvilicek urged the Commissioners to be the first in Montana to throw out the voting machines.

Mary Tapper, State Attorney, stated she is in support of the previous individual's testimony today. A condition for receiving CTCL funds, item number six states that the grantee agrees the receipt of the grant funds does not violate any applicable laws. Ms. McCue had to certify in order to receive the funds that the county does to receive any other funds. Does or has the County intend to apply for any more of the CTCL funds?

Adjourn


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

Meeting minutes approved on January 24, 2023

LEWIS AND CLARK COUNTY BOARD OF COMMISSIONERS


Tom Rolfe, Chair


Andy Hurthausen, Vice Chair


Candace Payne, Member

ATTEST:


Amy Reeves, Clerk of the Board