



PUBLIC MEETING

January 2, 2020

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, January 2, 2020, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Jim McCormick 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 Roger Baltz, Charles Lane, Christian Lehnert, Sherry Smith, Kevin Wright, Kristina Loftis, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2019-3 to Establish the 2020 Fire Season and Related Burn Permits and Fees for Lewis and Clark County. (Chris Sinrud)

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

Grant Application to Montana Department of Agriculture Noxious Weed Trust Fund. (Christian Lehnert)

Christian Lehnert, Weed District Coordinator, presented the grant application to the Montana Department of Agriculture Noxious Weed Trust Fund for the Canyon Creek area. The purpose of the project is to help reduce noxious weed infestations in the Little Prickly Pear Watershed area. Funds will be used to support noxious weed management on approximately 41,000 acres affecting up to 40 to 60 private landowners. The area consists of a varied topography with many creeks and springs throughout the area.

The total grant funds being submitted are \$23,768 with matching funds of \$25,668 for an estimated total project cost of \$49,436. This is a 50/50 cost share grant and the landowners are responsible for

\$23,768 of the match. The County contribution is \$1,900 as an in-kind match. Staff recommends approval to submit the grant application to the Montana Department of Agriculture Noxious Weed Trust Fund.

Mr. Lehnert gave a brief overview of the project and the completed environmental assessment noting that the project helps prevent what could occur down stream.

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.

Resolution 2020-1 Establishing Regular Meeting Dates of the Lewis and Clark County Commission and to Describe Procedures for Public Participation. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the annual resolution that establishes the regular meeting dates and places of the County Commission to include the Public Meeting, Administrative Staff Meeting, Lincoln Public Meeting and Augusta Public Meeting. It also describes procedures for public participation. Staff recommends approval of the resolution.

No public comment was received.

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

Resolution 2020-2 Establishing Hours of Operation for All Lewis and Clark County Offices. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the annual resolution that establishes hours of operation for all Lewis and Clark County offices to include the County Attorney/Public Administrator, County Commission, Clerk of District Court, PureView, Lewis and Clark Public Health, Justice Court, Sheriff's/Coroner Office, Superintendent of Schools, Treasurer/Clerk and Recorder/Auditor, and all other County departments of which could be modified as determined by the department head to better serve the public. Staff recommends approval of the resolution.

No public comment was received.

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

Discussion of Response to Letter Dated October 15, 2019 from the Montana Public Employee Retirement Administration. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the consideration of a discussion on the response to the Montana Employee Retirement Administration (MPERA) letter dated October 15, 2019. The letter is in response to a meeting that County staff had with MPERA regarding the PureView separation that will occur in February. Mr. Baltz noted research has been conducted related to the position that MPERA has taken that the separation between the County and PureView will present an unfunded liability to the Montana pension fund. MPERA has indicated in the letter that they expect a payment from the County for that liability. The letter indicates a 90 day response from the county and that deadline would be January 12, 2020.

Charles Lane, County Deputy Attorney, stated this is a statewide issue and what is in front of the Commission is to decide whether or not to engage in the administrative procedure that MPERA is recommending. Mr. Lane recommends the County does engage in the administrative process so as to keep all options available.

Commissioner McCormick read excerpts from the October 15, 2019 letter and gave his opinion on regarding the letter. He added a reading from the Montana Board of Investments and from GASB. Commissioner McCormick added that there is no statutory authority giving MPERA the ability to demand the \$5.1 million payment.

Commissioner Hunthausen stated the County is reducing the employee workforce by about 50 employees when PureView separates from the County and when that occurs those 50 people will no longer be participating in the MPERA system. MPERA's position demanding payment has never been done before and has no supporting rules nor any real appeal process; the demand is not based on any law or administrative rule. MPERA's current position provides no predictability for members of the system. If changes are to be made to the process or the system, those changes need to come from the Legislature.

Commissioner Good Geise stated she attended the meeting with MPERA that occurred on September 19, 2019 and noted that as part of the separation process, MPERA was engaged in conversations on multiple occasions regarding what would happen to the system if the PureView employees were to leave and none of what has been listed in this letter was mentioned at any of the multiple discussions; had the County been aware of a payment for the liability, conversations with PureView regarding the separation would have been different.

No public comment was received.

A motion was made by Commissioner Hunthausen to direct County staff to assist in drafting a response letter to MPERA encompassing today's discussion and identify and pursue all options in defending the County's position in this matter and deliver the letter as soon as possible. The motion was seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

Board of County Commission Chair and Vice Chair Designation for Calendar Year 2020.

A motion to nominate Commissioner Susan Good Geise as Chair for 2020 was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

A motion to nominate Commissioner Andy Hunthausen as Vice Chair for 2020 was made by Commissioner Susan Good Geise and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

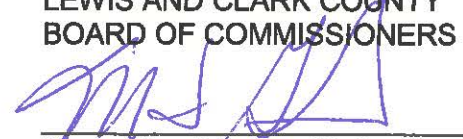
Commissioner Good Geise recognized the good work of Commissioner McCormick as Chair and the dedication of Commissioner Hunthausen.

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

Adjourn

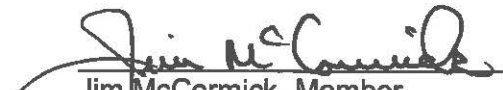
There being no further business, the meeting adjourned at 10:06 am.

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