



PUBLIC MEETING
January 22, 2019
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, January 22, 2019, 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, Nancy Everson, Nicho Hash, Alan Hughes, Peter Italiano, Dan Karlin, Eric Merchant, Sam Neill, DeeJay Robinson, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Public Meeting Minutes for August 24, 2017; December 13, 25, 27, 2018; January 1 and 3, 2019. (Nadine McCarty)
- b. Pledged Securities. (Paulette DeHart)

Roger Baltz reported on the consent action items 2 a-b and recommended approval.

Nancy Everson, Chief Financial Officer gave a brief explanation of Item 2-b pledge securities.

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 2019-12 Setting Permanent Weight Limits on Specific Roads Under the Jurisdiction of Lewis and Clark County for 2019. (Eric Griffin)

Dan Karlin, Public Works Engineer presented the resolution to set the permanent weight limits on specific roads under the jurisdiction of Lewis and Clark County. The purpose is to prevent damage to the roads of which are mostly chip sealed or have a history of frost action. The load limits would be single axle 7 tons, tandem axle 14 tons, 350 lbs. per inch width of tire. Staff recommends approval of the resolution.

Mr. Karlin stated the list of roads are the same as last year and can be found on the County website. Mr. Karlin explained the stress on a road when there is moisture and freezing under the road and the reason for weight limits.

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 2019-13 Setting Seasonal Weight Limits on Specific Roads Under the Jurisdiction of Lewis and Clark County for 2019. (Eric Griffin)

Dan Karlin, Public Works Engineer presented the resolution to set seasonal weight limits on specific roads under the jurisdiction of Lewis and Clark County. The purpose is to prevent damage to the roads during the seasonal actions, the frost heaves that occur. The load limits would be single axle 7 tons, tandem axle 14 tons, 350 lbs. per inch width of tire. The proposed time limit is February 2019 through May 2019. The signs would be posted and removed when the conditions are appropriate. Staff recommends approval of the resolution.

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 2-0 vote.

Contract Between Lewis and Clark County Detention Center and Monida Healthcare Staffing Solutions, LLC. (Alan Hughes)

Alan Hughes, Captain of the Detention Center presented the contract with Monida Healthcare Staffing Solutions to allow for additional nurses. Since the agreement with PureView will not be renewed the Detention Center is responsible for the medical facilities. The position was listed on the County website, but no applications were received. The Detention Center is currently down two nurses. Staff recommends approval of the contract with Monida Healthcare Staffing Solutions.

Captain Hughes gave an overview of the obligation of the Detention Center to ensure medical needs are taken care of. Captain Hughes stated a Physician's Assistant comes in twice a week with an onsite Registered Nurse to supervise the Licensed Practical Nurses.

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.

Contract Between Lewis and Clark Public Health and FDH & Associates. (Eric Merchant)

Eric Merchant, Disease Control & Prevention Division Administrator presented the contract with FDH & Associates to provide comprehensive HIV and Hepatitis C prevention services for high risk populations residing within Lewis and Clark County.

Mr. Merchant gave an overview of the difficulty of connecting with the high risk population.

In June of 2018 a contract with FDH & Associates was approved by the Commission and since then the number of high risk tests conducted has increased by 95% from 2014 and more than doubled the number of tests conducted in 2014 through 2017 cumulatively. Mr. Merchant gave an overview of the services to be provided. The contract begins upon approval through December 31, 2019. The contract amount is not to exceed \$6,000 and is covered by funds allocated through

the Department of Public Health and Human Services under the local HIV Prevention grant. Staff recommends approval of the contract with FDH & Associates.

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 2019-14 to Create the 4x4 Rural Improvement District. (Planner: Sam Neill)

Sam Neill, Planner I presented the resolution to create the 4X4 Rural Improvement District (RID). Several concerned citizens brought the request to the County with the primary concern of dust control. On December 7, 2017 Resolution 2018-114, amending Resolution 2018-55, a Resolution of Intention to create the 4X4 RID was approved. A 30-day comment period was opened and closed and on January 15, 2019. The estimated assessment for maintenance is \$74.56 annually per property with a total annual maintenance estimate of \$9,021.60. At the hearing on December 7, 2018, the County Commission decided to reduce the first year's improvement cost assessment for property owners within the proposed district, due to the presence of a County Park located within the proposed RID, as well as the prolonged RID process brought on by necessary legal clarification. The decision resulted in a yearly maintenance assessment only due to no longer needing a loan from the county to begin improvements of the road which resulted in the lower maintenance assessment of \$74.56.

As of January 15, 2019 a total of 23 protest letters from property owners owning 39 properties within the proposed District were received and it was determined there was not sufficient protest to bar proceedings. Staff recommends approval of the resolution.

Ms. Neill gave an overview of the citizen initiated request process to create a RID. Ms. Neill gave an explanation of the double assessment process and the reason for doing so.

PUBLIC COMMENT –

DeeJay Robinson, from Great Falls stated he is opposed to the RID and wants to know if the Commissioners review all the received protest letters and if any more letters were received after January 15, 2019. Ms. Neill noted she had received two others that were not included in the count, they would bring the total to 32% in protest still under the necessary 50%. Mr. Robinson wanted to know why the assessment could not be per landowner rather than per lot. Mr. Robinson wanted to know if potholes, etc. occur after the magnesium chloride application will they be able to grade the road and will additional magnesium chloride be applied.

Peter Italiano, Community Development and Planning Director stated the County has consistently used the method of total number of properties within the proposed district and noted statute also allows the lineal frontage along the road, addressed properties, and lots that abut the serviced road. Mr. Italiano explained that if a road is regraded the suppression benefit of the magnesium chloride is reduced. Reapplication of magnesium chloride would be a Public Works issue involving communication with property owners within the District.

Commissioner Hunthausen noted that magnesium chloride also stabilizes the road extending the life of the road with regards to potholes, etc.

Ms. Neill reviewed the calculated costs for maintenance on each of the statutory methods of assessment and the determination was the benefiting property would be anyone that uses the road and the proposed assessment is the lowest.

Commissioner Good Geise asked how long the project has been going on and Ms. Neill noted about eight months with at least three public meetings held in Lincoln.

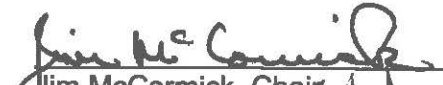
A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

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 10:13 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Jim McCormick, Chair



Susan Good Geise, Vice Chair



Andy Hunthausen, Member

ATTEST:



Paulette DeHart, Clerk of the Board