



PUBLIC MEETING

January 26, 2021
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, January 26, 2021, at 9:00 AM in Zoom <https://zoom.us/j/5669454978>.

Roll Call

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

Commissioner Jim McCormick and Commissioner Tom Rolfe were present. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Peter Italiano, Ann McCauley, Greg McNally, Pam Attardo, Audra Zacherl, Eric Austin, Ron Whitmoyer, Jessica Makus, Steve Utick, Jerry Shepherd, Charles Lane, Jeni Garcin, and Nadine McCarty, Recording Secretary. All attendees were present via Zoom.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2021-10 Request for Prosecutorial Assistance. (Leo Gallagher)

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 Rolfe and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

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

Audra Zacherl, Public Works Assistant Director, presented the contract with KONE, Inc. for elevator preventative maintenance and on-call services to be performed at the fairgrounds quarterly and at the courthouse and Detention Center six times per year. Compensation will be on an annual basis with the first year totaling \$13,132.44. It may be adjusted annually to reflect inflationary changes, but cannot exceed an increase of 3% per year. The contract begins upon approval by both parties and will continue for a period not to exceed five years. Ms. Zacherl stated that KONE, Inc. was selected for the project through a limited solicitation process that was sent to

all elevator maintenance companies in the area. Staff recommends approval of the contract with KONE, Inc.

No public comment was received.

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

Letter of Support for East Helena School District. (Ann McCauley)

Ann McCauley, Grants Administrator, presented the letter of support for the East Helena School District's Recreational Trails Program grant application through Montana Fish, Wildlife and Parks. An issue has come up with the project and she noted no action is to be taken on the letter of support at this time.

Ron Whitmoyer, East Helena School Superintendent, stated that the project would be put on hold for a few years. However, the school district does have the need for additional sidewalks in the area and requested support for those and forming a partnership in the future for another grant. The goal is to connect the new middle school to the elementary school.

No public comment was received.

Grant Application to the State of Montana Historic Preservation Office. (Pam Attardo)

Pam Attardo, Heritage Preservation Officer, presented the grant application to the Montana Historic Preservation Office for the Certified Local Government Program in the amount of \$6,000. The funds from the grant are unrestricted and can go towards any project that the Heritage Tourism Council pursues. The grant period is April 1, 2021 through March 31, 2022. Staff recommends approval of the grant application submission.

No public comment was received.

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

Resolution 2021-9 to Annex Land Contained in the Lewis and Clark County Fire Service Area into the West Helena Valley Fire District. (Planner: Greg McNally)

Greg McNally, Planner III, presented Resolution 2021-9 to annex property into the West Helena Valley Fire District. The property is located adjacent to and east of Collins Drive, adjacent to and south of Fantasy Road and is adjacent to the West Helena Valley Fire District.

A petition to annex adjacent properties in the Lewis and Clark Fire Service Area into the West Helena Valley Fire District as authorized by Section 7-33-2125, MCA was received on October 30, 2020 and was signed by 100 percent of the property owners. Staff determined the petition meets all applicable statutory criteria. The fire chief of the Lewis and Clark Fire Service Area verbally approved the annexation and the West Helena Valley Rural Fire District Board of Trustees approved the petition on December 3, 2020.

The proposed property is currently undeveloped; however, the property owners were granted preliminary conditional approval to subdivide the land on December 17, 2019. The subdivision is to include 40 lots, each for one single-family dwelling.

Jerry Shepherd, West Valley Fire Chief, stated that the annexation does make sense and it would help the insurance ratings for the subdivision, as they would be within 5 miles of the fire station.

Staff recommends approval of the resolution

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

Resolution 2021-8 to Re-Adopt the Helena Valley Planning Area - Blue Ribbon Panel. An Amendment of Resolution 2020-98. (Peter Italiano and Greg McNally)

Peter Italiano, Community Development and Planning Director and Greg McNally, Planner III, presented the resolution to make minor adjustments to the Zoning Advisory Panel Bylaws and to adopt new bylaws.

During the November 19, 2020 Board of County Commissioners meeting regarding the zoning proposal for the Helena Valley Planning Area (HVPA), the Commission approved the creation of the HVPA Blue Ribbon Panel also known as the Zoning Advisory Panel. After review of the Zoning Advisory Panel Bylaws, it was determined revisions were necessary. The three areas for revision include: replacement of panel members should a vacancy occur; clarification on the intent of the Boards' action in their original adoption, specific to voting process and the concept of a super majority versus a simple majority of the quorum versus the sitting panel; and text clarification. Staff recommends approval of the resolution.

Commissioner Rolfe stated he has concerns with using a super majority instead of a simple majority. Mr. Italiano stated that benefit of a super majority is that it moves the panel to a consensus.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-1 vote.

Contract Between Lewis and Clark County and Eric K. Austin, Ph.D. (Peter Italiano)

Peter Italiano, Community Development and Planning Director, presented the contract with Eric K. Austin, Ph.D. for moderator focused consulting and advisory services to the Zoning Advisory Panel in an amount not to exceed \$20,000. The contract begins upon approval by both parties with work to be completed no later than January 28, 2022. Staff recommends approval of the contract with Eric K. Austin, Ph.D.

Eric Austin, contractor, stated that he is looking forward to getting started on the project and helping the County move forward with the zoning process. He aims to facilitate the process to bring together all of the concerns, values and priorities of the community and balance that with the technicalities of zoning.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and 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.

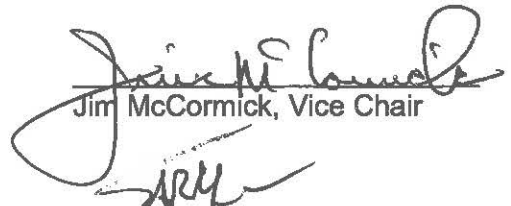
Adjourn

There being no further business, the meeting adjourned at 9:50 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair



Jim McCormick, Vice Chair


Tom Rolfe, Member

ATTEST:



Amy Reeves, Clerk of the Board