



## **PUBLIC MEETING**

October 24, 2019  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, October 24, 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 Andy Hunthausen was present. Commissioner Susan Good Geise was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Peter Italiano, Dan Karlin, Charles Lane, Ann McCauley, Lindsay Morgan, Dean Retz, Mark Menke, Robin Bare, and Nadine McCarty, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Memorandum of Understanding Between Lewis and Clark County, the City of Helena, and the City of East Helena. (Roger Baltz)

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 Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

### **Project Agreement Between Lewis and Clark County and Western Federal Lands Highway Division and Department of Defense. (Dan Karlin)**

Dan Karlin, County Engineer, presented the project agreement with the Western Federal Lands Highway Division, Department of Defense, Teton and Cascade Counties to set the responsibilities of each party in the funding, development, construction, and future maintenance for the repair of aggregate surface Transporter-Erector (T-E) routes identified by Air Force Base missile engineering. Lewis and Clark County would be allowing them to improve the County's roads at their cost. The specific routes are Long Butte Road and Bird Tail Road that lead to missile sites in Lewis and Clark County. The intent is to improve the roads to handle their design vehicle. Once improvements are made it will be the responsibility of Lewis and Clark County to maintain. Staff recommends approval of the project agreement with the Western Federal Lands Highway Division and Department of Defense.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

**Grant Award to Lewis and Clark County from Montana Department of Commerce. (Ann McCauley)**

Ann McCauley, Grants Administrator, presented the Community Development Block Grant-Economic Development (CDBG-ED) grant award from the Montana Department of Commerce in the amount of \$400,000. All the funds will be sub-awarded to Montana Business Assistance Connection (MBAC) to provide a loan to Hi-Country Snack Foods, Inc. for working capital to purchase equipment, inventory and staff training. Hi-Country is a recently purchased Lincoln-based business that employs over 40 staff. MBAC will also provide administrative services for the grant. The grant award terminates March 31, 2021, although it is anticipated the project will be completed this winter. Staff recommends approval of the grant award from Montana Department of Commerce.

Ms. McCauley gave an overview of the Hi-Country project.

Mark Menke, MBAC, stated he has been working on the project for about three years. The premise is job security in Lincoln. He added they will also be able to add to the workforce at Hi Country. Mr. Menke gave an overview of the services that MBAC provides.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

**Sub-recipient Agreement Between Lewis and Clark County and Montana Business Assistance Connections, Inc. (Ann McCauley)**

Ann McCauley, Grants Administrator, presented the sub-recipient agreement with Montana Business Assistance Connection (MBAC) for the implementation of contract # MT-CDBG-ED17-19 awarded to Lewis and Clark County from the Montana Department of Commerce. MBAC is the designated Certified Regional Development Corporation/Local Development Organization for Lewis and Clark County and will be administering the grant and loan to Hi-Country Snack Foods, Inc. for working capital to purchase equipment. The sub-recipient agreement period is upon execution through December 31, 2020. Staff recommends approval of the sub-recipient agreement with MBAC.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

**Amended Plat of Lot 125 - Big Valley Subdivision (Covenants) (Applicant: Trevor Taylor) (Planner: Lindsay A. Morgan)**

Lindsay Morgan, Planner III, presented the request to amend Covenant No. 13 of the amended plat of Lot 125 in the Big Valley Subdivision to allow miniature pot-bellied pigs to be raised as pets. The subdivision consists of four lots located off of Hearthstone Court, north of and adjacent to West Prairie Road, and just west of Diamond Springs Drive.

The subdivision was granted final approval on April 19, 2018. At the same time the final plat was recorded, covenants required as part of the subdivision review process were also recorded. Covenant No. 13 currently states: notice is hereby given of a prohibition of the raising, confinement, and/or keeping of livestock. Because of the requirement under the subdivision review process consent of the covenants by the Board of County Commissioners must be received prior to amendment. Notice of the proposed amendment was published in the Independent Record, posted within the subdivision, and

mailed to all property owners within the subdivision. One written comment was received the morning of this meeting from a property owner in the neighborhood and Ms. Morgan read the comment.

Staff contacted the Western Regional Department Head from the Montana State University Extension Office and he state miniature pot-bellied pigs are not a part of the livestock production system and are therefore considered more as a pet than livestock. The covenants does not define the term "livestock". According to the Administrative Rules of Montana, the term "livestock" includes all swine. Because of that, the Applicant seeks to amend the covenants to make an exception for pot-bellied mini pigs. Staff recommends approval of the amendment to the covenant.

Dean Retz, 155 All Sports Court, stated he was the project manager for the subdivision when it was completed. He would agree with the staff report. The four lots in the subdivision had no adverse comments.

Ms. Morgan stated the applicant did not seek a maximum number of pot-bellied pigs that would be allowed on the property and Commissioner McCormick stated he would like to discuss the numbers allowed and have all three commissioners available.

Darcy Olson, proposed buyer of the lot, stated she currently has mini pot-bellied pigs. She explained they typically stay under 150 pounds, those that she has are about 60 pounds and further explained their demeanor and daily habits. She added a shelter will be built in a fenced area for the pigs in the northwest corner of the property and the other adjacent lots seem to have their houses situated further away from that corner. Ms. Olson noted she intends to keep them as pets with no commercial purpose.

Ms. Olson noted the pot-bellied pigs can receive to different vaccinations of which are the owner's preference and not a requirement. She added that she vet cares all of her animals.

No public comment was received.

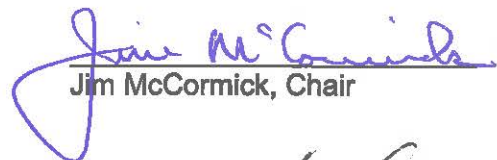
A motion was made by Commissioner Hunthausen to continue the public hearing and table the item to October 31, 2019. The motion was seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

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

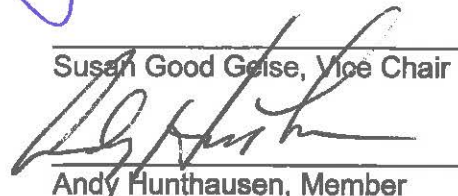
**Adjourn**

There being no further business, the meeting adjourned at 9:43 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