



PUBLIC MEETING
November 16, 2017
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, November 16, 2017, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen and Commissioner Jim McCormick were present. Others attending all or a portion of the meeting included Roger Baltz, Marni Bentley, Charles Lane, Drenda Niemann, Jacki Pierson, Paul Spengler, Audra Zacherl, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending November 17, 2017. (Marni Bentley)
- b. Public Meeting Minutes: June 15, July 25, October 24, and 31, 2017. (Nadine McCarty)

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

No public comment was received.

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

Bid Award. New Model Year 2018 Landfill Compactor. (Audra Zacherl)

Audra Zacherl, Assistant Director of Public Works, presented the bid award for the new model year 2018 landfill compactor. On November 9, 2017 a bid opening was held for landfill compactor and three bids were received. After a review of the bids by the selection committee, staff recommends awarding the bid to the low bidder, Tractor and Equipment Company of Great Falls, Montana for the purchase of one new 2018 Caterpillar 826K to include fire protection package additive alternate of \$22,110 for a total purchase price of \$733,342.

Ms. Zacherl explained the landfill operates off of a tipping fee and expenses are kept as even as possible from year to year to prevent a large fluctuation of tipping fees. She explained the Capital Improvement Plan (CIP) for the landfill and how the money has been saved for the purchase of the compactor. The policy requires money be saved for any purchase that is \$15,000 or more.

Ms. Zacherl explained that a competitive bid process is required for a minimum purchase of \$80,000 or more.

No public comment was received.

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

Contract Between Lewis and Clark County and Michael Baker International, Inc. (Paul Spengler)

Paul Spengler, Disaster and Emergency Services Coordinator and Flood Plain Administrator, presented the contract with Michael Baker International, Inc. for hydrologic and hydraulic review support for the Red Fox Meadows Subdivision. In August of 2016, June of 2017, and September of 2017; Michael Baker performed impartial technical reviews of the hydrologic analysis prepared by WWC Engineering. This contract is for additional impartial technical review of two more studies. One has already been received; it is a pre-flood plain application. The contract is not to exceed \$12,000 with work to begin upon approval of contract to be completed by June 30, 2018.

Mr. Spengler gave a brief explanation on what a hydrologic and hydraulic review is. It is really all about the study that has been performed to produce the cubic feet per second that is so important to the flood plain permit application process for the proposed subdivision.

Charles Lane stated as the Commission is aware, they have been involved in litigation over this flood plain development permit with Hamlin Construction; he applied for his first permit in August of 2015. The question on the hydrologic and hydraulics review; the engineering report is a report to model and estimate the effects of the flow on the structures and the land within the drainage. This drainage is about 12 square miles that drains to the crossing of Canyon Ferry Road at the northern edge of the proposed subdivision. There are various ways to calculate the hydrology, or the flow. The baseline way to do that is an equation developed by Department of Natural Resources Conservation (DNRC) with input from FEMA and the Montana Department of Transportation. The number from the equation gives the peak flow. The proposal being submitted now is a much more complicated hydrology calculation giving flow over time with the peak and the width of the peak rather than just getting a single peak flow number. There are retention ponds proposed above the property; of which would like Michael Baker International review the method used to calculate the hydrology and whether the retention ponds would be effective.

Commissioner Good Geise referenced the pre-application that is in to be reviewed. She asked about the simple calculation that DNRC uses and the one WWC is using as more complex. Mr. Lane stated there are various methods and calculations used to calculate the hydrology and FEMA has a hierarchy of recommendations; with the first to use a stream gauge; the second would be use the regional regression equations, those by developed by DNRC, FEMA and MDT; below that are a collection of very subjective methodologies. For this pre-application the submission is consistent with the regional regression equations; however a different methodology was used rather than just having the single number peak flow. Neither the County nor DNRC has stated that these regression equations must be used, but that using a different methodology must sufficiently justified. The various methodologies analyzed by both Baker and the DNRC; the CFS have all been grouped around the 1,300 number.

Mr. Spengler stated he understands the CFS with a retention pond is about 540. The point is an independent engineering firm needs to review the methodology done by WWC that included the use of the retention pond.

Mr. Lane stated there is no statutory process for the pre-application; this is a service the County is doing for Hamlin Construction. Once an application is submitted he has certified that those are the results they are comfortable with. The submission of a pre-application to be reviewed and have the County offer comments would be beneficial to all as then when the application is submitted it is more likely to be approved. And DNRC does not take pre-applications. For clarification the submittal of the second application used a peak flow of around 548 CFS with, it is understood, this proposed new submittal is around 1,300.

Commissioner McCormick stated moving forward it appears the developer may be considering modified topography to mitigate the effects of flows.

Commissioner Hunthausen stated it seems beneficial to the taxpayers of Lewis and Clark County to spend the money upfront to get this correct versus another year in court.

Mr. Lane stated during the first application and their fourth iteration it was determined another opinion was necessary, at that time it was sent to Michael Baker; during that same process another application was reviewed. A second application was submitted and reviewed by Michael Baker. This would be the third time.

Commissioner Good Geise wants to be clear that every developer that comes before the Commission needs to be treated in a legal way. No one should be entitled to any more or less and that the statutes and rules are applied without fear of favor. Every developer needs to know that the Commission deals objectively and impartially regardless of association or history with every project considered on its merits.

No public comment was received.

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

Grant Award to Lewis and Clark Public Health from National Association of Chronic Disease Directors. (Drenda Niemann)

Drenda Niemann, Community Public Health Promotion Division Administrator, presented the grant award from the National Association of Chronic Disease Directors to participate in the Reaching People with Disabilities through Healthy Communities project to create a wayfinding system and plan in the amount of \$16,250. The purpose is to reduce chronic disease by increasing access to physical activity and nutrition for individuals of all abilities. The plan will include ongoing implementation of features to the new wayfinding system. The grant period begins November 1, 2017 through June 30, 2018. Staff recommends approval.

Ms. Niemann explained the national initiative is the idea of making communities more accessible to opportunities for those with disabilities to ultimately reduce chronic disease; it is known individuals with disabilities often have a higher rate of these diseases. The local level receives these funds to implement local strategies. The Healthy Communities Coalition has assessed the needs in the community and has developed this wayfinding system as one of many strategies. The project has been the Helena area, the valley and East Helena. The resources have allowed them to reach out to Fort Harrison, Lincoln Road, the south hills, but at this time there is no work in Lincoln and Augusta due to limited resources. These funds will all go to the projects themselves with no funds going toward staff; staff will be provided by Public Health.

No public comment was received.


A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner McCormick. 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

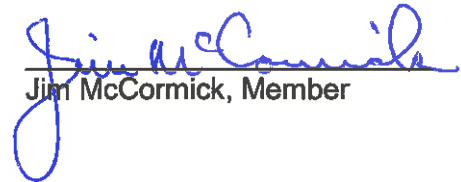
There being no further business, the meeting adjourned at 9:49 am.

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