



**PUBLIC MEETING**  
December 10, 2015  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, December 10, 2015, at 9:00 AM in Commission Chambers Room 330.

**Roll Call**

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

Commissioner Mike Murray was present. Commissioner Susan Geise was excused on personal business. Others attending all or a portion of the meeting included Eric Bryson, Katie Jerstad, Michele Peterson-Cook, K. Paul Stahl, Kevin Hamilton, Matt Heimel, Eric Merchant, Melanie Reynolds, Al Knauber, Andrea Silverman, Derek Brown, Alan Davis, Andy Bauer, Joanne Welch, and Nichole Nisbet, Recording Secretary.

**Pledge of Allegiance**

Everyone recited the pledge.

**Consent Action Items**

- a. Public Meeting Minutes: November 17, 19, 24, 2015 and December 1, 3 and 8, 2015. (Nichole Nisbet)
- b. Resolution 2015-163 Declaring County Property Surplus Property. (Amy Reeves)
- c. Contract Between Lewis and Clark County and Communication and Management Services, LLC. Nunc Pro Tunc.  
(Eric Bryson)

Eric Bryson reported on the consent action items 2a-c and recommended approval.

A motion was made by Commissioner Murray moved to table consent action item 2b until the regularly scheduled meeting on December 15, 2015 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

A motion was made by Commissioner Murray to approve consent action item 2 a and c and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

No public comment was received.

**Grant Award to Lewis and Clark County For The Voluntary National Retail Food Regulatory Program Standards Grant Program. (Eric Merchant)**

Eric Merchant, Division Administrator for Disease Control and Prevention, presented the grant award to Lewis and Clark County from the United States Food and Drug Administration in the amount of \$2,500 for the Update of Self Assessment of 9 Standards as part of the Retail Standards Grant Program. The purpose of the program is to serve as a guide for food regulatory services in Lewis and Clark County.

No public comment was received.

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

**Grant Award to Lewis and Clark County For The Voluntary National Retail Food Regulatory Program Standards Grant Program. (Eric Merchant)**

Eric Merchant, Division Administrator for Disease Control and Prevention, presented the grant award to Lewis and Clark County from the United States Food and Drug Administration in the amount of \$3,000 for training as part of the Retail Standards Grant Program. The grant provides for two licensed establishment staff members to attend training.

No public comment was received.

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

**Resolution 2015-162 Approving Funding of The South Hills Habitat and Open Space Acquisition Project. (Matt Heimel)**

Matt Heimel, Special Districts Planner, presented resolution approving funding for the South Hills Project. The Commission held a public meeting on this item and opened a 30 day public comment period on November 10, 2015. Two comment letters have been received in support of the project. The resolution does not reflect the project sponsor's additional funding request of \$13,303.72, as legal staff has provided an opinion against this request.

**PUBLIC COMMENT-**

Alan Davis, 1211 Hollins, chairman of the CAC stated his support of the resolution and noted that the committee voted unanimously in support of the project.

Upon no further testimony or comment, Commissioner Hunthausen stated that the public comment is now closed.

A motion was made by Commissioner Murray to amend the resolution to fund the project at \$273,303.72 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Commissioner Murray asked staff to modify the resolution to reflect the support of the CAC for the full funding amount.

Katie Jerstad, Deputy County Attorney, stated legal staff researched other Counties and noted that Ravalli County provides for transaction costs to be covered in their bond language however Gallatin County uses license plate sales to offset administrative costs and do not include the costs in their bond language.

Matt Heimel stated that Missoula County does not include administrative costs in their bond language.

Commissioner Murray stated he intends to vote for the amended resolution as he feels it is the right thing to do.

Commissioner Hunthausen stated his support and noted in the future all of the costs need to be included upfront.

A motion was made by Commissioner Murray to approve the amended resolution and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

**Welch Ranch Conservation Easement Project. (Matt Heimel)**

Matt Heimel, Special Districts Planner, presented the Open Lands Program Welch Ranch Conservation Easement Project. An application was received on October 1, 2015 and requests \$228,000 from the County Open Space Bond Fund, proposed to be applied to the purchase price of a conservation easement on the property. The property is approximately 123.78 acres in size. The land is currently used

for grazing and hay production, and multiple structures exist on the property. This application meets all minimum requirements of the Open Lands Program. In addition, this proposal appears to meet five of the seven objectives listed in the bond measure according to statements provided in the applications. The CAC voted unanimously to approve the funding.

Michele Peterson-Cook, Deputy County Attorney, stated the legal has prepared a due diligence report and noted that the approval is contingent on a new title report being received. She further noted issues with the appraisal as it lists three different properties however the deed description finds it is one parcel and not three parcels and that would likely affect the appraisal value. There was discrepancy with the acreage that is listed and it was determined to have a .6 acre difference. In reviewing the draft conservation easement everything is included.

#### PUBLIC COMMENT-

Andrea Silverman, PPLT, stated project features which include a creation of a public access point for fishing or bird watching on the land. The easement would allow for an additional building to be built in the building envelope.

Alan Davis, CAC chair, stated his support for the project and further noted that the CAC voted unanimously to support it.

Derek Brown, 816 Mill Road, stated the property is owned by the Welch Family Estate and noted the ranch's history. He noted future plans for the property that include a guest ranch or a hobby farm and a public access point.

Joanne Welch, stated that her families wish is to not have the property subdivided. She noted the wildlife that is in the area and supports the conversation easement project.

Andy Bauer stated his support for the project.

Matt Heimel stated the Commission can open the 30 day comment period and set a date to hold the next hearing.

A motion was made by Commissioner Murray to open the 30 day public comment period and hold a hearing on January 19, 2016 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

#### **Board Appointments. (Eric Bryson)**

Eric Bryson presented the board appointments and recommended the appointment of Jim Campbell to the Forestvale Historic Preservation Committee to complete the 3-year term that expires on 8/31/17.

No public comment was received.

A motion to approve the board appointment was made by Commissioner Murray and seconded by Commissioner Hunthausen. The motion passed on a 2-0 vote.

Eric Bryson recommended the reappointment of John Wilkinson as a Family Member to the Mental Health Local Advisory Council to a 4-year term that expires on 6/30/19 and recommended the appointment of Margaret Strachan as a Family Member to the Mental Health Local Advisory Council to fill the vacant 4-year term that expires on 6/30/19.

No public comment was received.

A motion to approve the board appointment was made by Commissioner Murray and seconded by Commissioner Hunthausen. The motion passed on a 2-0 vote.

Eric Bryson recommended the reappointment of Jim Dusenberry and Debbie Carlson to the Mosquito District – Helena Valley to 4- year terms that expires on 12/31/19.

No public comment was received.

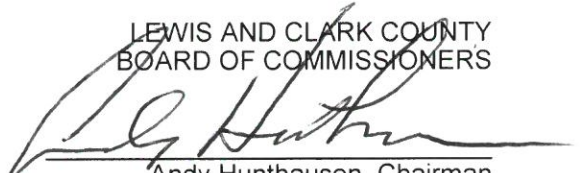
A motion to approve the board appointment was made by Commissioner Murray and seconded by Commissioner Hunthausen. The motion passed on a 2-0 vote.

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

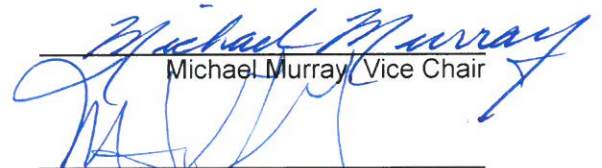
**Adjourn**

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

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

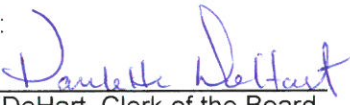


Michael Murray, Vice Chair



Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board