



PUBLIC MEETING

December 12, 2017
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, December 12, 2017, at 9:00 AM in Commission Chambers Room 330.

Roll Call

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

Commissioner Jim McCormick was present. Commissioner Susan Good Geise was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Katie Jerstad, Greg McNally, Tammy Potter, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Proclamation Declaring December 15, 2017 as Mayor Jim Smith Day.

Commissioner Hunthausen read the proclamation declaring Friday, December 15, 2017 as Mayor Jim Smith Day. Mayor Smith served as the Mayor of Helena for the past 16 years and will be moving on at the end of this year.

Consent Action Items

- a. Resolution 2017-156 Declaring County Surplus Property Surplus Property. (Amy Reeves)
- b. Re-signing and Mailing of Letter Documenting April 21, 2016 Decisions Regarding the Modifications of the Lot A-1A Amended of the H.W. Smith Minor Subdivision, Otherwise Known as Heron Creek Major Subdivision, and Variance Application, Nunc Pro Tunc. (Greg McNally)

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

Greg McNally, Planner II, gave a brief overview of consent action item 2b.

No public comment was received.

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

Resolution 2017-157 Accepting Memorandum of Agreement in the Matter of Lewis and Clark County V. Greg Hampton, Cause No. CDV-09-526. (Katie Jerstad)

Katie Jerstad, Deputy County Attorney, presented the resolution to accept the Memorandum of Agreement, removing the agricultural covenant. In August of 2017 the Commission approved the modified road improvements agreements. Mr. Hampton completed those improvements; the improvements were inspected and certified that they met the specifications. Mr. Hampton was required to complete a certificate of survey (COS) with various elements included pursuant to the amended judgment in the case. The court asked that once the requirements are completed Mr. Hampton and Lewis and Clark County enter into a Memorandum of Agreement (MOA) consenting to the removal of the historic agricultural covenant. The COS has been prepared as well as the MOA. By filing of the two items simultaneously, referencing the other; the parties have prepared a joint motion to dismiss the lawsuit.

Commissioner Hunthausen confirmed the passing of the resolution accomplishes all of the goals.

PUBLIC COMMENT -

Kim Wilson, Morrison, Sherwood, Wilson, and Deola, stated he has been representing Greg Hampton the last few years. The parties have worked together to effectively come to a resolution that all parties, including the neighbors, have all found acceptable. The work is complete and ready to have Judge Seeley sign the order dismissing the case.

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

Grant Award to Lewis and Clark County Sheriff from the Department of Justice. (Tammy Potter)

Tammy Potter, Sheriff's Office Finance Coordinator, presented the grant award from the Department of Justice in the amount of \$4,033.11. The funds are to be used for half the purchase cost of bullet proof vests for sworn deputies. The replacement cycle on the vests is five years. The vests are fitted to the individual so when vacancies occur they cannot always be reused. The are reused whenever possible.

No public comment was received.

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

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

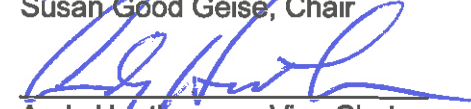
Adjourn

There being no further business, the meeting adjourned at 9:14 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