



PUBLIC MEETING

December 17, 2020
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, December 17, 2020, at 9:00 AM in Zoom <https://zoom.us/j/5669454978>.

Roll Call

Chair 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, Peter Italiano, Charles Lane, Kathy Moore, Lindsay Morgan, Drenda Niemann, Audra Zacherl, Jerry Davis, Katie Clement, Claudia Davis, Jeni Garcin, Wendy Murphy, and Nadine McCarty, Recording Secretary. All attendees were present via Zoom.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. State of Montana Vendor Invoice Motor Vehicle Recycling & Disposal. (Kathy Moore)

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

Contract Between Lewis and Clark County and Facility Improvement Corporation (FICO). Audra Zacherl

Audra Zacherl, Public Works Assistant Director, presented the contract with Facility Improvement Corporation (FICO) for upgrades to the existing mechanical control system in the Lewis and Clark County Courthouse. Parts on the current system are becoming obsolete and more expensive to repair. Compensation will be \$37,877 with work to be completed no later than January 31, 2021. The project is funded from the Courthouse capital improvement budget. Staff recommends approval of the contract with Facility Improvement Corporation.

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.

Resolution 2020-110 to Amend the CB-2 Regulations of Special Zone District No. 13-A.
(Petitioners: Wendy and Ryan Murphy) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner III, presented the resolution to amend the text of the regulations for the CB-2 zone in Special Zone District No. 13-A to allow childcare facilities as a permitted use and to define childcare facilities under the regulations. The petitioners are Ryan and Wendy Murphy. The zone is located north of Philips Road, west of and adjacent to North Montana Avenue, south of Trails End Road. The current makeup of the zone includes a veterinary clinic, a gas station, a convenience store, a bar and casino and some vacant land. Adjacent uses are mainly residential. The zone has two types of uses: retail trade and service activities. The zone abuts North Montana Avenue. Notice of the text amendment was provided to neighboring property owners as well as notices placed in the Helena Independent Record; no verbal or written comments were received. This change is consistent with the Growth Policy. Staff has determined that the amendments are compatible with existing development in the area.

The Planning and Zoning Commission heard the application on Wednesday, December 9 and recommended approval of the text amendments 5-0. Their recommendation was to add childcare facilities as a permitted use to the zoning regulations.

Commissioner McCormick stated that the current covenants, while separate from the zoning regulations, do allow for such use. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve and incorporate the Planning and Zoning Commission minutes from December 9th was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion passed on a 3-0 vote.

Approval of Support Letter to the City-County Board of Health. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the letter of support regarding the proposed rules and regulations to be considered by the City-County Board of Health relating to the Covid-19 pandemic. The Board of Health will be taking the regulations into consideration at their regular meeting later in the day.

Drenda Niemann stated that these rules are part of the comprehensive approach to dealing with the pandemic in the absence of a vaccine. The County Attorney recommended formalizing the rules that have already been in place and include things such as mask wearing and social distancing. These rules adopted by the Board of Health will be more easily enforced if necessary. Ms. Niemann stated that she believes the vaccines that have been released are safe and effective. She added that she hopes to see the vaccine available to all county residents by the middle of 2021 and that vaccinations will be voluntary. It will be Public Health's recommendation that residents continue to mask up and social distance until 70% of the population has been vaccinated; even if you are vaccinated, it is recommended that you continue to follow CDC guidelines.

Commissioner McCormick asked about specific deescalation metrics and if those could be used to lift the regulations. Ms. Niemann stated that because of unknowns surrounding this emergency public health crisis, that protective measures should not be withdrawn until declarations are lifted at the state or federal levels. Commissioner McCormick recommended that the Board of Health consider adding language regarding the sunset of the rules and regulations.

Charles Lane, Deputy County Attorney, stated that language could be added to the rules and regulations so that they do sunset when the emergency declaration has been lifted.

Commissioner Hunthausen stated that formalizing these rules and regulations will allow for more consistency for providing protection for the community and for enforcing the rules.

Commissioners urged all to take the virus seriously and to continue to follow the CDC guidelines.

PUBLIC COMMENT -

Katie Clement, via Zoom Chat, stated that we are taking the freedom of those who choose not to wear a mask by fining them for a choice.

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.

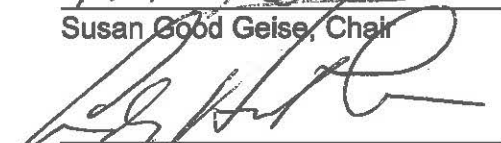
Adjourn

There being no further business, the meeting adjourned at 10:00 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair



Andy Hunthausen, Vice Chair



Jim McCormick, Member

ATTEST:



Amy Reeves, Clerk of the Board