



PUBLIC MEETING

March 25, 2021
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, March 25, 2021, at 9:00 AM in Zoom <https://zoom.us/j/5669454978>.

Roll Call

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

Commissioner Jim McCormick and Commissioner Tom Rolfe were present. Others attending all or a portion of the meeting included Roger Baltz, Jason Danielson, Peter Italiano, Charles Lane, Ann McCauley, Jacob Kuntz, Greg McNally, Chris Ries, Andy Shirliff, and Nadine McCarty, Recording Secretary. All attendees were present via Zoom.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Resolution 2021-20 Naming Cemetery Dr. (Jason Danielson)

Jason Danielson, Address Coordinator, presented the resolution to name an unnamed road that travels north from E US Highway 12 approximately 775 feet. An existing 60-foot wide County right-of-way is filed and recorded in the Lewis and Clark Clerk and Recorder's Office.

Naming a road in Lewis and Clark County requires the completion of a road-naming petition and that a simple majority of adjacent property owners agrees to a proposed road name. The Addressing Office received signed petitions from Terry Wing and Chris Hammen (on behalf of the Catholic Bishop of Helena), owners of three of the four adjacent parcels, to name the road Cemetery Drive. If approved, notification letters will be sent to each property owner of their updated address, if applicable, and a separate notification email will be sent to all service providers. County Public Works will also be notified to create and install the road sign. It is understood that adjacent property owners may be responsible for the costs associated with the new road signs. Staff recommends approval of the resolution.

No public comment was received.

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

Resolution 2021-21 to Revoke Resolution 2021-4 Which Established Alternate Meeting Place and Additional Dates for Lewis and Clark County Commission Meetings due to Social Distancing. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the resolution that would revoke Resolution 2021-4 that established alternate meeting place and additional dates for County Commission meetings due to social distancing. The Commission would like to return to conducting its regularly scheduled meetings in person in the Commission Chambers, Room 330 beginning April 6, 2021. It also includes in person meetings for Calendar meetings, Lincoln and Augusta Government Day meetings and Administrative staff meetings. Staff recommends approval of the resolution.

No public comment was received.

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

Grant Award to Lewis and Clark County from the Montana Department of Natural Resources & Conservation (Ann McCauley)

Ann McCauley, Grants Administrator, presented the grant award from the Montana Department of Natural Resources and Conservation (DNRC) for the Urban and Community Forestry Arbor Day 2021 grant program in the amount of \$300. On February 5, 2021, the County Commission proclaimed May 15, 2021 as Arbor Day in Lincoln, Montana. The funds will be used to purchase and plant one or more trees in Lincoln's Hooper Park as part of their planned Arbor Day and spring clean-up event. The grant period is January 1, 2021 through June 30, 2021. Staff recommends acceptance of the grant award from the Montana Department of Natural Resources and Conservation.

Ms. McCauley noted that the plan is to plant deciduous shade trees that are hardy for the region. DNRC will assist with planting and tree selection.

No public comment was received.

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

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

Ann McCauley, Grants Administrator, presented the grant award from the Montana Department of Commerce for a Big Sky Economic Development Trust Fund (BSTF) Planning grant program in the amount of \$27,000 to conduct a Preliminary Architectural Report (PAR) for Helena Area Habitat for Humanity's new Helena Homeownership Center. The required match of \$25,000 will be provided by Habitat for Humanity. On December 15, 2020, the County Commission passed Resolution 2020-107 to authorize submission of a BSTF application for this project. The grant period is February 5, 2021 through February 5, 2023. Staff recommends acceptance of the BSTF Planning grant award from the Montana Department of Commerce.

Jacob Kuntz, Helena Habitat for Humanity Executive Director, thanked the Commission for their support and explained the project. The PAR is the Helena Homeownership Center, which will be a new facility located on Highway 12 between Helena and East Helena. It will include administrative offices as

well as the Habitat Restore. Mr. Kuntz also explained the mission of Habitat for Humanity and the process to get homeowners into homes.

No public comment was received.

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

Sub-recipient Agreement Between Lewis and Clark County and Helena Area Habitat for Humanity. (Ann McCauley)

Ann McCauley, Grants Administrator, presented the sub-recipient agreement with Helena Area Habitat for Humanity in the amount of \$27,000 for the administration and management of the Big Sky Trust Fund Planning grant awarded to the County in February 2021. Helena Area Habitat for Humanity will be procuring professional services to complete a Preliminary Architectural Report (PAR) for their new Helena Homeownership Center in Helena, with the intent to apply for Community Development Block Grant funding when opportunities become available. The agreement period is February 5, 2021 through February 5, 2023. Staff recommends approval of the sub-recipient agreement with Helena Area Habitat for Humanity.

No public comment was received.

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

Amended Plat of East Bench Subdivision, Phase IV Lot 1, Block 2, SUBD2020-018 (Applicant: Lance and Dana Lahti) (Planner: Greg McNally)

Greg McNally, Planner III, presented the proposed amended plat for Lot 1, Block 2 of the East Bench Subdivision, Phase IV located north of Fox Ridge Drive, south of Country View Drive, and west of and adjacent to Lake Helena Drive. If approved, the existing 0.49-acre lot would be amended to eliminate/abandon a 20-foot-wide structure setback along the eastern portion of the lot adjacent to Lake Helena Drive. The lot is currently developed with an existing single-family dwelling and is served by a multi-user well, an individual on-site wastewater treatment system, and utilities. Adjacent land uses include a golf course to the north, single-family dwelling and golf course to the south, Lake Helena Drive and agriculture to the east, single-family residential and golf course to the west. As of March 19, 2021, staff received one letter of support and one phone call also in support.

The East Bench Subdivision was preliminarily approved in 1988; re-reviewed and modified in 1992. Preliminary approval included 44 lots, seven for duplex units and 37 for single-family units. The subdivision was final platted in phases with Phase IV final platted in 1995. In the review process, the Montana Power Company suggested a building setback be imposed along the power line easement along Lake Helena Drive due to concerns that power lines and poles in the easement could fall on the proposed homes. The County Commission established a condition of approval that restricted the location of structures along the east edge of the subdivision shown and described on the final plat and referenced in the covenants with a minimum no-build width at least the height of the power poles and to extend westward from the base of the power poles at least the minimum width.

As the implementation of the structure setback was originally established at the result of the Montana Power Company's comments. Staff suggested that the applicant consult with the current owner, NorthWestern Energy before bringing the request forward. The applicant did so with NorthWestern Energy having no objection to the removal of the structure setback.

Staff recommends approval of the amended plat subject to three conditions of approval based on the findings of fact. Those conditions include preparation of the survey and recording of the amended final plat; providing documentation showing the applicant is the lawful owner of the property with the authority to subdivide; and, that preliminary approval shall be in force for three years.

Chris Ries, Ries & Associates PC and applicant's representative stated the applicant is seeking more storage and the project will create no adverse impacts or conditions.

A motion was made by Commissioner McCormick to approve the amended plat of East Bench Subdivision, Phase IV Lot 1, Block 2. The motion was seconded by Commissioner Rolfe.

A motion was made by Commissioner McCormick that the findings of fact and conclusions of law and conditions of approval be adopted as presented by staff. The motion was seconded by Commissioner Rolfe. The motion on a Passed 3-0 vote.

Commissioner Hunthausen stated that there is a motion on the floor to approve the amended plat. The motion Passed on a 3-0 vote.

No public comment was received.

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 9:53 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair

Jim McCormick, Vice Chair

Tom Rolfe, Member

ATTEST:



Amy Reeves, Clerk of the Board