



## **PUBLIC MEETING**

April 10, 2018  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, April 10, 2018, at 9:00 AM in Commission Chambers Room 330.

### **Roll Call**

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

Commissioner Jim McCormick and Commissioner Susan Good Geise were present. Others attending all or a portion of the meeting included Roger Baltz, Jill Dill, Misty Edwards, John Finn, Peter Italiano, Karen McMillan, Greg McNally, Doug Nisbet, Tony Prothero, Lisa Skelton, Patricia Spencer, Trish Sternberg, John Tarr, Ronald Waterman, Jesse Whitford, Audra Zacherl, Travis Schneiderhan, John Tarr, and Nadine McCarty, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **2018 National Library Week.**

Commissioner Good Geise read the proclamation recognizing April 8-14, 2018 as National Library Week. The Commissioners also recognized the 150th Anniversary of the Lewis and Clark Library and welcomed library staff and board members to the meeting.

John Finn, Library Director, gave an update on the library and the services they offer. He also spoke about the 150th Anniversary Celebrations on June 22 as well as other events happening at the library throughout the year.

### **Consent Action Items**

- a. Public Meeting Minutes: March 13, 20, 22, and 27, 2018. (Nadine McCarty)

Roger Baltz reported on the consent action item 2 a and recommended approval.

No public comment was received.

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

### **Bid Opening. 2018 Bituminous Asphalt Pavement. (Audra Zacherl).**

Audra Zacherl, Public Works Assistant Director, opened bids for the purchase of bituminous asphalt. Two bids were received. The first bid is from Helena Sand & Gravel, Inc. of Helena, Montana with a base bid \$65.05 per ton with no mileage cost for a total bid amount of \$195,150. The last bid is from Cap Paving, Inc. of East Helena, Montana with a base bid of \$70.00 per ton with no mileage cost for a total bid amount of \$210,000.

No public comment was received.

A motion was made by Commissioner Good Geise for staff to take bids under advisement and make a recommendation to the Commission on April 17, 2018. The motion was seconded by Commissioner McCormick. The motion passed on a 3-0 vote.

**Bid Award. 2018 Paint Striping. (Audra Zacherl).**

Audra Zacher, Assistant Director of Public Works presented the bid award for the 2018 Paint Striping Project. On April 3, 2018 three bids were received and opened for the project. The project generally consists of paint striping centerline and shoulder roadway markings for approximately 78 miles of various county roads and in Rural Improvement Districts (RIDs).

After a review of the bids by the selection committee, staff recommends awarding the contract to the low bidder, Highmark Traffic Services, Inc. of Billings, Montana for a bid amount of \$20.50 per applied gallon of paint and a total estimated cost of \$86,115.

No public comment was received.

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

**Contract Between Lewis and Clark County and Civic Foundry, LLC. (Misty Edwards)**

Misty Edwards, Finance Coordinator presented the contract with Civic Foundry, LLC in the amount of \$48,500 for an information technology services assessment. The contract period begins upon execution of the contract and work is to be completed by August 31, 2018.

On March 2, 2018 Lewis and Clark County received 18 responses to the Information Technology Assessment Services RFP. The RFP was soliciting responses from qualified and capable firms to conduct a comprehensive review and assessment of the Information Technology Environment. The evaluation is intended to assist the County and the City in identifying gaps that may be keeping it from realizing the potential of technology to reach its goals. The budget for the project is \$50,000.

A review committee reviewed and scored the proposals. Scoring was based on the following: Overall Experience and Qualifications; Project Methodology; Quality and Responsiveness of the Proposal; and, Fee Schedule. A meeting with the review committee was held on March 19<sup>th</sup> to discuss the scores and select two firms to interview. The committee interviewed Securance Consulting and Civic Foundry. After thorough review of each response, comprehensive interviews, and reference checks the committee unanimously selected Civic Foundry, LLC based in San Jose, California.

Staff recommends contract award with Civic Foundry, LLC in the amount of \$48,500 and authorizing the chair to sign all applicable contract documents.

Mr. Baltz explained the reason for the assessment is to look at IT efficiencies and services. The statement of work includes conducting a gap analysis as well as looking at our strength, weaknesses, opportunities and threats. The consultant will make recommendations regarding technology use and assess services both internally and externally.

Commissioner Good Geise referenced the scoring committee and recognized how various areas of both the city and county were represented.

No public comment was received.

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

**Request to Amend the Subdivision Improvements Agreement for the Amended Plat of Bridge Creek Estates Major Subdivision. (Tabled 5-5-18) (Applicant: Phil and Judy Wirth) (Planner: Greg McNally)**

Greg McNally, Planner II presented the request to amend the Subdivision Improvements Agreement (SIA) for the Amended Plat of Bridge Creek Estates Major Subdivision. This item was tabled on April 5, 2018. The applicant is proposing to amend the SIA to reduce the requirements for a required bike/pedestrian path as well as reduce requirements for fencing required along an easement for the Helena Valley Irrigation District (HVID).

On April 5, 2018 a public hearing was held and 4 residents gave public comment at that time. There was concerns raised regarding allowing the inherent safety concerns along the irrigation canal and the need for fencing and the need for a crosswalk.

Staff did recommend the approval subject to conditions of approval. During the public hearing on April 5, Dan Karlin, County Engineer, read a report and provided statistics from the US Department of Transportation Federal Highways Administration in reference to the crosswalk flashing beacon. Mr. McNally presented the additional findings based on that report and stated he did share the additional Findings of Fact with the applicant's engineer, Mr. Tony Protheroe.

Mr. McNally stated the goal is to get the improvements completed and staff is recommending conditional approval of the Amended SIA. In conjunction with this, there is an existing improvements agreement that may have to be extended due to the timing. The completion date of that existing agreement is May 7, 2018. If the Commission approves the proposed SIA as recommended by staff, the applicant would only have one month to make the improvements. No public comment was received.

A motion was made by Commissioner Good Geise that after reviewing the staff report, written and verbal public comment from the public hearing, the presentations by staff and the applicant, and the recommended findings of fact and conclusions of law and approval conditions, to conditionally approve the request with conditions of approval needed to mitigate adverse impacts or bring the project into compliance with regulations. The motion was seconded by Commissioner McCormick.

Commissioner Hunthausen stated that the Commission has a motion on the floor for action. He asked to first consider the findings of fact for the impact criteria and subdivision regulation requirements.

Commissioner Good Geise discussed the findings of fact including the concerns voiced by the public at the April 5, 2018 meeting regarding safety concerns and the need for fencing.

Commissioner Good Geise also referenced finding number 15 regarding the special use permits granted to the lot owners of lots 52, 84, and 85 along this easement. One of the lot owners has previously commented that he supports the completion of the improvements but would like to be reimbursed for his installation of improvements in the HVID easement. Another lot owner requested that the contractor relocate underground sprinklers that conflict with the trail.

Also noted was Finding No. 17 regarding the crosswalk at Stetson Road and Kingpost Loop. This crosswalk will connect the residents of Bridge Creek Estates with the walking trail on the east side of North Montana Avenue and to Lincoln Road to the south and as far north as Prairie Road. The safety of a crosswalk at this location can be enhanced by following ADA guidelines and installing proper signage. Public Works is recommending a pedestrian actuated warning system for uncontrolled marked crosswalks.

Commissioner Good Geise also notes that Jim Darcy School is one-half mile from this installment.

Mr. McNally stated there are two irrigation canals on the property; the main canal will require fencing on both sides; and, the lateral canal will require fencing on the east side.

A total of thirty-four findings of fact are listed in the staff report.

A motion was made by Commissioner Good Geise that after reviewing the recommended findings of fact on the impact criteria and the subdivision regulations requirements and after considering public comment from the public hearing, to adopt the Findings of Fact as amended. The motion was seconded by Commissioner McCormick. The motion passed 3-0.

A motion was made by Commissioner Good Geise that after reviewing the reviewing the adopted findings of fact and after considering public comment from the public hearing, to adopt a conclusion of law that the proposed amendments will have adverse impacts on the review criteria and will not be in compliance with regulations. Commissioner Good Geise further moved to adopt a conclusion of law that the impacts can be mitigated through conditions of approval. Those conditions of approval are listed in the staff report. The motion was seconded by Commissioner McCormick. The motion passed 3-0.

A motion was made by Commissioner Good Geise that after reviewing the adopted findings of fact on the impact criteria and subdivision regulations requirements and after considering public comment from the public hearing, to recommend approval of the conditions of approval as submitted. The motion was seconded by Commissioner McCormick. The motion passed 3-0.

Commissioner Hunthausen stated that there is a motion on the floor and after having acted on the findings of fact, the conclusions of law and the conditions of approval for the proposed amendments asked if Commissioners were ready to act on the proposed amendments as a whole. Commissioner Good Geise stated that after reviewing the adopted findings of fact and conclusions of law and the adopted conditions of approval, and after considering public comment, to conditionally approve the proposed amendments. The motion was seconded by Commissioner McCormick. The motion passed 3-0.

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

John Tarr, 1209 Luchese Road wanted to make a suggestion that maybe once a year the Planning Department can meet with all of the Homeowners Associations in the county to discuss various issues occurring in subdivisions.

Mr. Tarr also suggested that when the roundabout is installed on Montana Avenue and Lincoln Road, that adequate crosswalks be added.

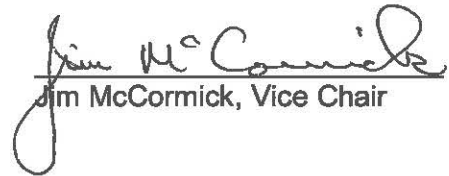
**Adjourn**

There being no further business, the meeting adjourned at 9:56 am.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



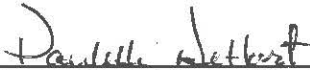
Andy Hunthausen, Chair



Jim McCormick, Vice Chair

\_\_\_\_\_  
Susan Good Geise, Member

ATTEST:



\_\_\_\_\_  
Paulette DeHart, Clerk of the Board