



PUBLIC MEETING

May 10, 2018
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, May 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, Nancy Everson, Matt Heimel, Peter Italiano, Dan Karlin, Charles Lane, Kimberly Gardner, Amy Tenney, Audrey McCue, Lindsay Morgan, Drenda Niemann, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2018-25 Declaring County Property Surplus Property. (Amy Reeves)
- b. Service Agreement Between Lewis and Clark County, Western Montana Mental Health, and the Center for Mental Health for the Operation of the Journey Home. (Misty Edwards)

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

No public comment was received.

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

Bid Award. Three (3) Steel Modular Bridge Systems. (Dan Karlin)

Dan Karlin, County Engineer presented the bid award for the Elk Creek Bridge Replacements Treasure State Endowment Program project. On Thursday, May 3, 2018 a bid opening was held and two bids were received for the project. The project consists of replacing three existing timber bridges west of Augusta. The work will involve supplying steel modular bridge systems, corrugated steel backwalls, pre-engineered concrete foundation systems and steel bridge rails with the bridge construction to be done by the county's bridge crew.

The project may be funded in part with grant funding from the Treasure State Endowment Program. If funding does not come through, budget authority is in the FY18 and FY19 Bridge Infrastructure Replacement budget.

The two bids received had a difference of \$147,195 between the high and low bid. After review of the bids, it was determined the low bid was responsive and met all qualifications in the project manual. Staff recommends awarding the bid to the low bidder, TrueNorth Steel of Missoula, Montana for \$274,995.

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 Robert Peccia and Associates, Inc. (Dan Karlin)

Dan Karlin, Engineer presented the contract with Robert Peccia and Associates, Inc. for on-call engineering services for Public Works, Road and Community Development and Planning. The work will consist of preliminary engineering reports, cost estimates, road surface analysis, road design and plan development, traffic analysis, construction oversight, surveying, general site and civil engineering, etc. The contract requires executed task orders for each project assigned by the County and will be for a seven year period.

A Request for Qualifications was advertised with responses reviewed and scored. Eleven consultants responded and five were chosen for contracts; this is one of those five. Staff recommends approval of the contract.

No public comment was received.

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

Task Order 19-07-5-21-084-0 WIC Farmer's Market (Drenda Niemann)

Drenda Niemann, Community Public Health Promotion Administrator presented the task order from the Montana Department of Public Health and Human Services to administer the WIC Farmer's Market nutrition education program in the amount of \$826.62. The task order period is from July 1, 2018 to June 30, 2019. This program allows WIC participants to receive approximately \$30 in vouchers to be used for fresh, locally grown fruits and vegetables at the Farmer's Market. The program is available to approximately 900 families that currently participate in the WIC program, however, there are only about 400 that will be able to receive the vouchers due to the limited amount of funding available.

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.

Designation of Lewis and Clark County Earmarked Alcohol Tax Money. (Nancy Everson)

Nancy Everson, Chief Financial Officer presented the service provider designation form. This form is an annual form that is submitted to the Montana Department of Public Health and Human Services (DPHHS). DPHHS is responsible for distributing alcohol tax monies that are earmarked for the provision of chemical dependency services in each County. The funds are disbursed four times a year directly to the county and then distributed to the State-Approved chemical dependency service

providers as designated on this form. The funds must be used for substance abuse, prevention, intervention and treatment services.

Staff recommends designating 50 percent to Boyd Andrew Community Services and 50 percent to Intermountain Youth.

Ms. Everson confirmed for many years Boyd Andrew received 100 percent of the funds and in recent years Intermountain Youth has been allocated funding. Last year, the split was 50/50 between the two agencies.

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Kimberly Gardner, Clinical Director of Intermountain Youth, gave an overview of the services they provide. They are a state approved program which allows them to access funding for individuals up to age 21 through a block grant. All of their therapists are duly licensed. The trends they are seeing most include juuling, electronic cigarettes, alcohol use and a rapid increase in OPIAD use. Ms. Gardner gave an overview of their prevention activities and also noted their work closely with St. Peter's Health and PureView. Ms. Gardner noted the cost of Narcan ranges from \$35 to \$400 depending on where it is purchased and added that it is cost-prohibitive for clients and added that there is public opposition to the use of it.

Amy Tenney, CEO of Boyd Andrew Community Services stated it has been a challenging year for non-profit organizations due to state budget cuts. Throughout the year Boyd Andrew works to partner with the county in a variety of ways including working with the adult treatment court and the newly formed family treatment court. They have also been partnering with PureView Health Center to provide a collaboration of primary care services and behavioral health services. Currently, a full-time licensed addiction counselor is working at the PureView Clinic.

Ms. Tenney gave an overview on the services provided to Youth Connections and to the pre-release center.

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.

2018 Special Purpose District Canceled Elections - Appointing or Declaring Candidates Elected by Acclamation. (Audrey McCue)

Audrey McCue, Elections Supervisor, presented the cancellation of the election for special purpose districts and the appointment of candidates by acclamation. If the number of candidates for a special purpose district election is equal to or less than the number of positions to be filled, then the election can be canceled. If an election has been canceled, candidates are declared elected by acclamation. If vacancies remain, they may then be filled by appointment.

Ms. McCue stated that there are thirty special purpose districts in Lewis and Clark County with a regular election day in May. To be declared a board member or trustee by acclamation, the person must have filed for that position before the filing deadline. If the person filed after the filing deadline, then they are appointed to any remaining empty positions rather than declared by acclamation.

Charles Lane, Deputy County Attorney confirmed with Commissioner Good Geise that all of all of the records of the district are public records. Trustees should know that they are responsible for providing all records to the public if they are requested.

Ms. McCue added there are additional empty positions that nobody filed for or wished to be appointed for. The Elections Office follows-up with each district to let them know that there are still vacant positions.

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.

Proposed Amendments to the Regulations for Special Zoning District No. 28. (Applicant: Johnathan Alexander) (Planner: Matt Heibel)

Matt Heibel, Special Districts Planner presented the proposed amendments to the regulations for Special Zoning District No. 28 and requested that the public hearing be rescheduled to July 12, 2018. The applicant for the amendment has proposed this as a response to a zoning violation on his property. The Planning and Zoning Commissioner held a public hearing on this item on April 30, 2018. At that hearing, no recommendation was made and additional time was given to the applicant to work on the amendment. The next Planning and Zoning Commission hearing is scheduled for June 25, 2018 with an anticipated recommendation for the Commission at that hearing. Mr. Heibel is thus requesting the item be tabled until after that hearing, to July 12, 2018.

No public comment was received.

Commissioner Hunthausen noted no action is needed on this item.

Amended Plat of Tract B1D-19 and Lot 81 - Grasslands Subdivision II. (Tabled 5-8-18) (Applicants: Grass-Land, Inc. and Dax and Kristen Cetraro) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II presented the proposed amended plat to Lot 81 and Tract B1D-19 of the Grasslands Subdivision II that was tabled from May 8, 2018. According to the application, a fence located on Lot 81 is encroaching into Tract B1D-19, which abuts Lot 81 along a portion of its north property boundary and the entire length of the east property boundary. In addition, a gas line was installed on tract B1D-19 outside of any existing utility easements due to the fence location. To eliminate this encroachment and to establish easements for the gas line, the applicants are proposing a boundary line relocation between the two properties that will increase the size of Lot 81 by adjusting a portion of its north boundary an additional 30 feet to the north and moving its entire east boundary an additional 15 feet to the east. The applicants are also requesting the removal of the utility easement along a portion of the current north boundary of Lot 81 and relocation of the easement along the entire east property boundary of Lot 81 to the east edge of the proposed new property boundary. The existing gas line on Tract B1D-19 will be located within the proposed utility easement to be shared between Lot 81 and Tract B1D-19 and within the public access and utility easement extension for Karmen Road with the proposed new boundaries of Lot 81.

Staff recommends approval of the Amended Plat of Tract B1D-19 and Lot 81 - Grasslands Subdivision II subject to three conditions, to allow for the: extension of a 30-foot wide, public access and underground utility easement along the proposed new property boundary of Lot 81 for the south half of Karmen Road; the removal of the 10-foot wide, underground utility easement along a portion of the current north property boundary of Lot 81; the relocation of the 10-foot wide, underground utility easement along the east property boundary of Lot 81; and, the addition of a 10-foot wide, underground utility easement along the proposed new west property boundary of Tract B1D-19 where it abuts the proposed new property boundary for Lot 81 south of the proposed extension of Karmen Road.

Ms. Morgan gave an explanation as to what will happen with the gas line. When NorthWestern Energy installed the gas line where they thought there was a utility easement. With the proposed utility easement amendments and the addition of the public access easement everything will be included in the corrected easement.

No public comment was received.

A motion was made by Commissioner Good Geise to approve the Amended Plat of Tract B1D-19 and Lot 81 - Grasslands Subdivision with the conditions as recommend by staff. The motion was seconded by Commissioner McCormick.

A motion was made by Commissioner Good Geise to approve the findings of fact and the conclusion of law. The motion was seconded by Commissioner McCormick. Commissioner Geise discussed the findings of fact including utility easements and that a gas line is located outside of the utility easement. NorthWestern Energy has no issue with the proposed amendments, the City of Helena Planning Department and the Lewis and Clark County Public Works Department have no issues with the proposed amendments.

In conclusion, the Amended Plat of Tract B1D-19 and Lot 81 - Grasslands Subdivision will have either no or minimal impacts to agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat and public health and safety. The motion Passed on a 3-0 vote.

There is a motion on the floor to approve the amended plat including the findings of fact and the conclusions of law. The motion passed 3-0.

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

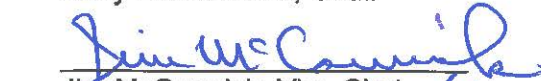
Adjourn

There being no further business, the meeting adjourned at 10:12 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