



## **PUBLIC MEETING**

May 11, 2021  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, May 11, 2021, at 9:00 AM in Commission Chambers, Room 330.

### **Roll Call**

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

Commissioner Tom Rolfe was present. Commissioner Jim McCormick was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Dan Karlin, Jessica Makus, Drenda Niemann, Lee Cook, James E. Adolph, Larry Sickerson, and Nadine McCarty, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Public Meeting Minutes for March 30; April 6, 13, 15, 20, 27, 29, 2021. (Nadine McCarty)

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

No public comment was received.

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

### **Resolution 2021-29 to Create the Wild Wind Road and Half Fast Drive Rural Improvement District. (Jessica Makus)**

Jessica Makus, Special Districts Program Coordinator, presented the resolution to create the Wild Wind Road and Half Fast Drive Rural Improvement District (RID) for improvement and road maintenance. The proposed district is located north of the irrigation canal and west of N. Montana Avenue.

On April 1, 2021, the County Commission adopted a resolution of intention to create the district. The received petition was signed by 42% of property owners within the proposed RID, satisfying Lewis and Clark County's policy to consider RID petitions signed by at least 20% of property owners. There are 19 properties included in the proposed RID boundary. After the resolution of intention was passed, a 30-day comment period was opened, with an additional 2 days added for the Easter holiday as required by

statute. The notice of intention to create the RID and today's hearing date was sent to all owners of property within the RID with legal ads published twice. The comment period closed on May 7, 2021 and as of that date, nine letters of protest were received and four letters of support. Protest totaled 47.4%; therefore, not sufficient protest to stop the proceedings.

If approved, each property within the RID will be assessed an equal amount for the improvements and maintenance of Wild Wind Road and Half Fast Drive, based on the total cost of improvements and maintenance pursuant to 7-12-2151(1)(d), MCA. Financing of improvements is estimated at \$30,176.31 with a 15-year debt service, and each benefited lot assessment is estimated at \$147.89 annually. The total estimated cost for annual maintenance is \$2,945 with each lot assessed \$155 annually. The total assessment per year will be \$302.89 for the first 15 years. Once the improvement debt is paid off, the assessment will be the maintenance assessment only. Staff recommends approval of the resolution.

#### PUBLIC COMMENT -

Larry Sickerson, 1000 Wild Wind Road, stated he is in support of the RID and is also speaking for Nick Burno, Don McCarthy and Chuck Ritchie, neighbors who were unable to make the meeting. This RID will be equal for everyone. Increasing costs will continue to increase so it's time to act now.

Jim Adolf, lives on Half Fast Drive and is one of the original five property owners. He is in opposition along with six others that were unable to attend. They understand something needs to be done with the roads. In 1987 a road maintenance agreement was submitted to the Clerk and Recorder's office and is still in effect. They would like a chance to come together to fix the roads before going to a formal RID. The concern is the cost. There are people in the area that have road maintenance experience and access to equipment.

Mr. Sickerson clarified before the formal petition was done, he put together a fact sheet about RIDs and mailed out to all 19 property owners. Everyone was made aware of the effort prior to the 30-day notification from the County. He bought his property in 1997 and was not made aware of the road maintenance agreement.

Commissioner Hunthausen stated public comment is now closed.

Ms. Makus noted once the resolution of intention was approved, she mailed notice to all property owners to their mailing addresses. She gave an overview of the purpose for RIDs and how the funds are managed.

Mr. Sickerson stated given the track record and history of the previous efforts he is aware of three separate attempts to maintain the road at the expense of few and benefit of many. The RID will hold everyone accountable.

Mr. Adolf stated he would be open to speaking with Mr. Sickerman and the gentleman that has available equipment.

A motion was made by Commissioner Rolfe to table the item to May 20, 2021 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

#### **Task Order 22-07-4-31-123-0 Between Lewis and Clark Public Health and Montana Department of Public Health and Human Services. (Drenda Niemann)**

Drenda Niemann, Public Health Officer, presented the grant award and affiliated task order with the Montana Department of Public Health and Human Services (DPHHS) to administer immunization services program in Lewis and Clark County in the amount of \$27,579. The grant period begins July 1,

2021 through June 30, 2022. The purpose is to reduce the burden of vaccine preventable diseases. Lewis and Clark County Public Health will act as a safety net for community wide immunizations regardless of uninsured inability to pay. Will coordinate offsite clinics to make immunizations convenient. Other services include staff training, assessing records at daycares and schools, collaboration with WIC, reporting vaccination activities in the state registry, and annually internal quality improvement projects to increase vaccination rates. Will continue to collaborate with the emergency preparedness program. Staff recommends approval of the task order with the Montana Department of Public Health and Human Services.

No public comment was received.

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

**Amendment No. 2 to Task Order No. 21-07-4-31-123-0 Between Lewis and Clark Public Health and Montana Department of Public Health and Human Services. (Drenda Niemann)**

Drenda Niemann, Public Health Officer, presented the amendment to the task order with the Montana Department of Public Health and Human Services to participate in COVID-19 vaccination planning for an additional \$167,879 to the original contract that expires June 30, 2021. The additional funds will be used to offer a variety of vaccine clinics, provide education and encourage communication to reduce hesitancy, and continue to collaborate with partners including Pureview, St. Peter's hospitals, and pharmacies. The vaccination effort is moving from the fairgrounds to be more mobile and convenient. Staff recommends approval of amendment No. 2 to the task order with the Montana Department of Public Health and Human Services.

No public comment was received.

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

**Grant Application and Commitment of Funds for 2021 Montana Federal Lands Access Program. (Dan Karlin)**

Dan Karlin, County Engineer, explained the Federal Lands Access Program (FLAP) application process, noting the proposal may be for capital improvement, transit, planning, and research. Projects are to take place in calendar year 2023 and beyond and all projects must access Federal lands. The projects require a 13.42% local match of funds.

In January of 2021, Public Works compiled a list of nine potential projects that address the current and future needs of the County for further investigation as project applications. From the list the four highest priority projects were selected for submission to Western Federal Lands. If successful, the FLAP funding will allow the County to complete approximately \$12.67 million of work for approximately 1/7th of the cost being the county cost, which is \$1,700,594.62.

The project to be completed will be Lake Helena Drive Phase I, to pave the section of Lake Helena drive that is not yet paved, install guardrails and repave the existing paved road to Lincoln Road. The project would be scheduled to begin in 2024. Staff recommends approval of the Lake Helena Drive Road Improvements Phase I project application.

Mr. Karlin noted Lake Helena Drive is graded several times a year, frequently needs gravel added, and magnesium chloride applied twice per year due to high traffic. It takes a tremendous amount of resources for that small section that is not yet paved.

No public comment was received.

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

**Grant Application and Commitment of Funds for 2021 Montana Federal Lands Access Program.**  
**(Dan Karlin)**

Dan Karlin, County Engineer, presented the Dearborn Canyon/Flat Creek Road Improvements project, the number two priority for submission to the Federal Lands Access Program (FLAP).

The project includes 8.45 miles of roadway and is the access to Falls Creek Trailhead, Diamond Bar Guest Ranch and C Bar N Bible Camp. Improved subbase conditions, improved roadside drainage, adding base gravel and placing crushed aggregate gravel surfacing that meets County standards is included in the project. If successful, the FLAP grant will allow the County to complete \$3,413,998 of work for 1/7th of the cost, which is \$458,158. The project would be scheduled to begin in 2023. Staff recommends approval of the Dearborn Canyon/Flat Creek Road Improvements project application.

No public comment was received.

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

**Grant Application and Commitment of Funds for 2021 Montana Federal Lands Access Program.**  
**(Dan Karlin)**

Dan Karlin, County Engineer, presented the Unionville Loop Road Improvements project, the number three priority for submission to the FLAP program. The proposed project includes the section of Grizzly Gulch from the end of asphalt to Oro Fino Gulch and down Oro Fino Gulch to the start of asphalt near Unionville. Improved subbase conditions, improved roadside drainage, adding base gravel and placing crushed aggregate gravel surfacing that meets County standards is included in the project. If successful, the FLAP grant will allow the County to complete \$3,348,314 of work for 1/7th of the cost, which is \$449,343. The project would be scheduled to begin in 2023. Staff recommends approval of the Unionville Loop Road Improvements project application.

No public comment was received.

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

**Grant Application and Commitment of Funds for 2021 Montana Federal Lands Access Program.**  
**(Dan Karlin)**

Dan Karlin, County Engineer, presented the Beaver Creek Road Improvements project, the number four priority for submission to the FLAP program. The proposed project corridor is the portion of Beaver Creek Road from its intersection with Nelson Road to the Missouri River Fishing Access Site. Improved subbase conditions, improved roadside drainage, adding base gravel and placing crushed aggregate gravel surfacing that meets County standards is included in the project. If successful, the FLAP grant will allow the County to complete \$1,858,099 of work for 1/7th of the cost, which is \$249,356. The project would be scheduled to begin in 2023. Staff recommends approval of the Beaver Creek Road Improvement FLAP project application.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe 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 10:27 am.

Meeting minutes approved on 11.22.22


LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Jim McCormick, Chair

  
Tom Rolfe, Vice Chair

  
Andy Hunthausen, Member

ATTEST:

  
Amy Reeves, Clerk of the Board