



PUBLIC MEETING

May 26, 2020
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, May 26, 2020, at 9:00 AM in Zoom Meeting <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, Brent Colbert, Misty Edwards, Kim Gardner, Nicho Hash, Peter Italiano, Dan Karlin, Charles Lane, Jennifer McBroom, Drenda Niemann, Amy Tenney, Jeni Garcin, Kathy Moore, Kevin Horne, Matt Johnson, Terri Russell 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.

Boyd Andrew Community Services and Intermountain Community Services Annual Update (Amy Tenney & Kim Gardner)

Amy Tenney, Boyd Andrew Community Services Chief Executive Officer, stated they operate an outpatient substance abuse disorder and co-occurring treatment center along with the men's transitional living center, and the Helena Prerelease Center. She thanked the Commission for the ongoing support and designation of the earmarked tax dollars. Ms. Tenney reported: they have provided over 196 substance disorder and mental health assessments; conducted approximately 1,200 hours of individual therapy; over 2,500 units of group therapy; and approximately 1,600 units of peer support services; 55 assessments at the Lewis and Clark County Detention Center, utilizing the alcohol tax dollars as well as block grant funding; service to 35 veterans; continue to operate the men's transitional living facility, providing sober housing, rehabilitation aide services, case management, outpatient and co-occurring treatment for approximately 15 men; continue to provide evidence-based education via the Prime for Life Curriculum for DUI offenders not diagnosed with a substance-use disorder and have served 90 clients with 72 receiving the Prime for Life education service and of those 86% are first time DUI offenders; continue to employ a certified peer support specialist, providing support to nearly 70 clients, currently looking to hire more specialists. She also reported on the Helena Prerelease Center that: the previous fiscal year the residents paid over \$52,000 in restitution and fines; over \$293,000 in income taxes; and performed over 600 hours of community services. Both Intermountain and Boyd Andrew recognize the value of collaboration in the community and have been a part of the Lewis and Clark First Judicial Treatment Court since its inception as well as the Lewis and Clark County Family Treatment Court. They

have been asked by Municipal Court Judge Anne Peterson to join the efforts are starting a DUI court in Helena with the hopes of training beginning in the fall. They are also partners in the movement toward integrated behavioral health care. There has been a recognized need to provide additional support to pregnant and postpartum women and Boyd Andrew is partnering with Helena OB/GYN Associates to provide a part-time licensed mental health therapist within their office. The alcohol tax monies have helped Boyd Andrew to put forth additional training efforts on training counselors in evidence-based practices. Ms. Tenney reviewed the training programs the clinicians have been able to obtain to further assist their clients. She added approximately 89% of the current clients are Medicaid recipients resulting in almost \$300,000 in service write-offs. With the ongoing pandemic Boyd Andrew moved to primarily providing service to clients via telehealth and with the phase 2 reopening face-to-face services will resume June 1, 2020 requiring the CDC recommended protective personal equipment and social distancing. Boyd Andrew received 100% in the last quality assurance audit review.

Kim Gardner, Intermountain Community Services Clinical Director, stated she appreciates the partnership with the County and Boyd Andrew. Intermountain is a state approved program with Chemical Dependency Bureau and they also completed their audit with a 100% score. She discussed the value of the alcohol tax funds and how they help with community collaboration and provide client care. Their care has also been about integrated care. Ms. Gardner reported: they have completed 180 assessments for substance-use disorder since May 1, 2019; there are 137 open cases with 9 of them being veterans; the entire agency recently achieved the status of military inform; provided 927 individual therapy sessions with 54 additional family therapy sessions; provided 121 classes on alcohol, drugs and other substances education classes with 62 Prime for Life, 45 possession of dangerous drugs, and 14 for tobacco and vaping; collaborating with not only Boyd Andrew, but also PureView on the Family Treatment Court, and also a partnership with East Helena School District to open an East Helena School clinic; working on the team of Lewis and Clark Prevention Coalition; work with St. Peter's Health providing a therapist at the hospital that works with adolescents and kids experiencing suicidal ideation or suicide attempts; work with the local Youth Court. Ms. Gardner reviewed the different treatment modalities provided at Intermountain. They also recruit, train, and have internships for substance-use providers, noting all their providers are already dually licensed because they are both a mental health and substance-use treatment center. The alcohol tax funds have been used to help pay for unfunded services and training for addiction counselors. Intermountain stayed open during the pandemic, following the CDC guidelines, except for the psychiatry services went to telehealth.

Commissioner McCormick asked how much of the alcohol tax supports the programs and Ms. Gardner added 25% of the therapists salaries comes from the funds because of the number of non-billable services that they provide. The rest goes to unfunded care with fundraising for the rest.

Commissioner Hunthausen discussed the dollar amount received by each entity and noted there are now multiple state certified providers in the community that may have interest in the funds.

Ms. Tenney stated Intermountain and Boyd Andrew each receive \$50,000 to \$55,000 of alcohol tax funds annually, a fifty-fifty split for the last several years. The funds consist of about 20% of unpaid services with 15% going to helping fund the assessments conducted at the Detention Center.

Ms. Gardner stated the funds go towards: some prevention activities that are not billable or payable by another source; collaboration such as activities with the First Judicial Family Treatment Court, she gave an overview of those activities; cost of providing clinical supervision for staff working towards licensure.

Commissioner Hunthausen asked for an overview of the County plan and Ms. Tenney noted she is fairly new to her position and when she came on the whole process of the plan changed and she is not overly familiar with the history of the plan.

Ms. Gardner noted the County has the responsibility of using alcohol tax funds for the purpose of prevention and treatment of substance use disorders. There must be a collaborative approach that

follows all chemical dependency bureau state approved guidelines and Ms. Gardner gave an overview of what the bigger agencies do regarding this approach working towards a healthy community.

Designation of Lewis and Clark County Earmarked Alcohol Tax Money. (Misty Edwards)

Misty Edwards, Finance Coordinator, presented the designation of earmarked alcohol tax money for Fiscal Year 2021. The funds are pass-through funds from the Department of Public Health and Human Services (DPHHS), which receives the revenue collected from the sale of all liquor products sold in Montana. The alcohol tax revenue is to be used for the treatment, rehabilitation and prevention of alcoholism and chemical dependency. The funds are distributed by DPHHS to the county for use by approved private or public programs. The County receives 3 equal distributions of \$29,015 throughout the fiscal year and if the revenues collected by the state exceed the estimated total, a fourth payment is made in the fall of the next fiscal year. In fiscal year 2020, a fourth payment of \$34,542 was received. Since fiscal year 2018, the County has allocated these funds 50/50 to Boyd Andrew Community Services and Intermountain Children Services. The intent was to split the funds evenly between the adult and juvenile populations.

In 2019, the state added more approved programs to the list of providers and the County is beginning to see requests from other agencies for the funds. At this time, County staff recommends continuing with the 50/50 split between Boyd Andrew and Intermountain for Fiscal Year 2021 and to create a process whereby providers may apply for the funding in coming fiscal years.

PUBLIC COMMENT -

Terri Russell, Instar Community Services Director, stated they are one of the new state approved programs in Lewis and Clark County with approval in October of 2017. They teach the Assessment, Course & Treatment (ACT) Prime for Life and have served 226 clients since established with the lowest fee in the state of \$295. She added they are now able to bill health insurance for the assessments. They are the first to bring peer support specialists to Helena and were awarded the Best Recovery Oriented Services Program of 2018. Instar has opened a men's recovery home using the SAMSHA model with allowance for residents to access treatment anywhere in Helena or surrounding areas. Instar assisted Good Samaritan Ministries with keeping Our Place Drop-in Center open, providing peer support that included a van. Ms. Russell gave an overview of other services they have provided during the pandemic such as other transportation and telehealth services. The opportunity to put in a request for proposal (RFP) would be so valuable to Instar. They are always attending community outreaches.

Ms. Gardner stated Ms. Russell's reputation is impeccable and the services of Instar are very much needed. She added Intermountain's Prime for Life classes are \$100, they bill out all of the assessment costs, and offered a discussion regarding the process.

The Commissioners discussed the additional request for consideration of the funds with not enough time to complete the RFP process for this year and the possibility of the RFP process for the next year.

A motion was made by Commissioner Hunthausen to table the item to June 2, 2020 and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

Grant Application to the Montana Board of Crime Control. (Brent Colbert)

Brent Colbert, Sheriff's Office Captain, presented the grant application to the Montana Board of Crime Control in the amount of \$26,116 for the purchases of Polycom Video conferencing system from the Detention Center to the courts and other places with the system, and also for additional mobile data terminals for the patrol vehicles. The Polycom system would limit the number of people taken over to the courts. The grant is in response to available funding to implement better safety procedures regarding the Coronavirus. The grant period is May 1, 2020 through April 30, 2021. Staff recommends approval of the grant application to the Montana Board of Crime Control.

Captain Colbert stated currently there is no video conferencing system for district court and explained the grant is specifically for COVID-19 and how situations could be dealt with.

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.

Grant Award to Lewis and Clark Public Health from Montana Department Public Health and Human Services. (Drenda Niemann)

Drenda Niemann, Public Health Officer, presented the grant award from Montana Department of Public Health and Human Services in the amount of \$218,797 for the CARE's Act Public Health grant to continue ongoing COVID-19 response. Lewis and Clark Public Health assumed incident command for the COVID-19 pandemic in the local jurisdiction on March 22, 2020. There are 22 staff members working almost exclusively to meet Public Health objectives to manage the pandemic. In March and April just over \$108,000 was documented in COVID-19 related expenses with about \$17,000 in lost revenue. Crisis operations are anticipated for months to come. The funds will be used primarily to support personnel expenses, enforcing restrictions, monitoring cases, and providing technical assistance. When Public Health is able to transition back to normal operations they will have experienced a significant reduction in revenue from immunization clinics and licensed establishment work. After transition, if funds are remaining, they will use them to backfill. The grant period begins upon approval through January 31, 2021. Staff recommends approval of the grant award from the Montana Department of Public Health and Human Services.

Ms. Niemann explained a formula was used to determine the amount of funds each county would receive and the funds can be used for anything COVID response related.

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.

Bid Award. 2020 Chip Seal. (Dan Karlin)

Dan Karlin, County Engineer, presented the bid award for the 2020 chip seal surfacing project. On May 19, 2020 a bid opening was held for project and three bids were received. The project generally consists of chip seal surfacing, fog seal and paint striping on various County roads and within several Rural Improvement Districts, that includes Colorado Gulch, South Forestvale II, Sunny Vista, Wheat Ridge, Belair, Fox Crossing, Frontier Village Estates, Green Acres, La Casa Grande, Settlers Cove, and Lake Helena Condominium. Funding for the project is budgeted in the road infrastructure fund, using road mill levy revenue. After a review of the bids by the selection committee, staff recommends awarding the bid to the low bidder, Bullock Contracting, LLC of Boulder, Montana for the base bid and the additive alternate for a total amount of \$698,878.89.

Mr. Karlin explained the bid review process and noted unless other reasoning applies, they are required to take the low bid price. Mr. Karlin explained the reasons for the chip seal process.

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.

Agreement Between Lewis and Clark County and the Montana Department of Transportation. (Dan Karlin)

Dan Karlin, County Engineer, presented the agreement with the Montana Department of Transportation (MDT) that establishes the responsibilities and duties of both parties related to project activities on Dalton Mountain Road Bridge, known by MDT as the Blackfoot River Bridge. MDT accepted the Dalton Mountain Road Bridge in the off-system bridge program. In order to do so, Lewis and Clark County must agree to provide the entirety of the Treasure State Endowment Program (TSEP) funding allocated to the project to MDT no more than 60 days from the time of advertisement for bids with the funding only being applied to the construction phase of the project. The operation and maintenance will be the responsibility of Lewis and Clark County with the design and construction management being paid for by using Federal Highway Administration Funding. Staff recommends approval of the agreement with the Montana Department of Transportation.

Mr. Karlin stated MDT owns every bridge in the state that is on the federal highway system or state highway routes and explained the off-system bridge program for non-MDT owned bridges.

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.

Tri-Party Agreement Between Lewis and Clark County and Montana Rail Link, Inc. and the Montana Department of Transportation. (Dan Karlin)

Dan Karlin, County Engineer, presented the tri-party agreement with Montana Rail Link, Inc. (MRL) and the Montana Department of Transportation (MDT) to replace the rail crossing at Head Lane. Per the administrative rules of Montana, Lewis and Clark County will become the owners of the infrastructure once installed with the operation and maintenance being the responsibility of MRL. The design, crossing, and approach work will be paid for by MDT and MRL jointly. Lewis and Clark County will commit to provide traffic control for two days while the crossing is installed, including flaggers. Staff recommends approval of the tri-party agreement with Montana Rail Link, Inc. and the Montana Department of Transportation.

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.

Grant Application to the Montana Department of Natural Resources and Conservation. (Jennifer McBroom)

Jennifer McBroom, Water Quality Protection District Supervisor, presented the grant application to the Montana Department of Natural Resources and Conservation (DNRC) for the Grizzly Gulch Reclamation Project in the amount of \$331,674.84. The surface placer mining at the former Pretty Girl Placer Mine has disconnected Grizzly Creek, about five miles up Grizzly Gulch and replaced a continuous floodplain and alluvial aquifer with a pit that collects sediment laden runoff. Grizzly Creek, the repairing area and the alluvial aquifer have also been modified both upstream and downstream of the pit as a result of historic mining and resulting in additional sediment loading to the creek. In 2003, Grizzly Gulch Drive was moved east to the west side and created an additional culvert that increased sedimentation due to steep and unstable slopes adjacent to the site. To reach the goal of restoring Grizzly Creek as a functioning stream there are three objectives: reclaim natural surface and groundwater interaction, create riparian and wetland habitat, and improve public safety and provide public access. The DNRC grant application has four alternatives considered for the project that includes: no action; low action stabilization improvements; imported fill floodplain reconstruction; and onsite fill floodplain reconstruction, which is the selected alternative. It will create approximately 1 acre of reclaimed floodplain, 1,000 feet of reclaimed stream channel, 0.55 acres of restored upland area, 0.4 acres of restored wetland area, 1,100 feet of mountain bike and pedestrian trail, and a few acres of overall revegetated area. The total cost of the

alternative that includes engineering, permitting and administrative costs are approximately \$292,000 in Reclamation and Development Grant (RDG) funds, with approximately \$40,00 in in-kind funds. If funded, the tentative start date will be April, 2022. Staff recommends approval of the grant application to the Montana Department of Natural Resources and Conservation.

Commissioner McCormick asked why the start date is two years out and Ms. McBroom stated the application is due June 1, 2020, but it will not be heard until the legislature meets in 2021. She explained the process if it is awarded.

Matt Johnson, Respec Project Engineer, noted it is a bit unknown as to when the state releases the funds.

Commissioner Hunthausen asked if there are specific problematic pieces to the project and Mr. Johnson stated the general consensus with DEQ, is that because the site has such an extensive mining history with the nature of it being placer and so much water has moved through there over the last decades plus, they are not concerned with any contamination or heavy metals. Really no major problems, a lot of earth moving. The alternative is using all of the material onsite and includes additional material from a recent reconstruction project. There was not enough material to bring the floodplain back up to the natural slope and hauling materials up there is a considerable cost. Working with what is available proved to be the most economical.

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.

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 10:36 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Susan Good Geise, Chair
Andy Hunthausen, Vice Chair
Jim McCormick, Member

ATTEST:


Paulette DeHart, Clerk of the Board