



PUBLIC MEETING

May 31, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, May 31, 2016, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Mike Murray called the meeting to order at 9 a.m.

Commissioner Susan Good Geise and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Kevin Hamilton, George Theborge, Jeanne Underhill, Dan Karlin, Amy Tenney, Kim Gardner, Kim Smith, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2016-40 Declaring County Property Surplus Property. (Amy Reeves)

Eric Bryson reported on the consent action items 2a and recommended approval.

No public comment was received.

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

Grant Application to the Federal Emergency Management Agency (FEMA). (Dan Karlin)

Dan Karlin, County Engineer, presented the grant application to the Federal Emergency Management Agency (FEMA) for the Predisaster Mitigation (PDM) Grant Award in cooperation with Montana Disaster and Emergency Services (DES) for a funding request of \$1,640,427.75. The 25% local match required is \$546,809.25. The grant would address nuisance flooding in the Helena Valley and would include improvements to the D2 east of Interstate 15. The grant period is through the summer of 2019.

No public comment was received.

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

Contract Amendment No. 4 Between Lewis and Clark County and the State of Montana Department of Public Health and Human Services. (Jeanne Underhill)

Jeanne Underhill, Supervisor for the Home Community Based Big Sky Waiver Program, presented the contract amendment between Montana Department of Public Health and Human Services to provide Case Management for the Montana Big Sky Home and Community Based Services Case Management Program for an additional year ending in June 30, 2107. The program serves around 150 residents.

No public comment was received.

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

Presentation of State-Approved Chemical Dependency Services County Plan. (tabled 5/19/16)
(Amy Tenney/Kim Gardner)

A motion was made by Commissioner Hunthausen to accept the plan as presented with a split of 70/30 to adults and to youth and seconded by Commissioner Geise.

Commissioner Hunthausen stated the end goal would be to split the money 50/50 and his motion is a step in that direction.

Commissioner Geise made a motion to amend the original motion to a split of 65/35 and seconded by Commissioner Hunthausen.

Commissioner Hunthausen stated he would prefer to see a 50/50 split in the next three years with 10% increase each year.

The motion Passed on a 2-1 vote with Commissioner Murray voting against.

Proposed Buildings For Lease or Rent for 3915 McHugh Lane to be known as "McHugh Drive Rentals BLR". (tabled 5/24/16) (Applicant: Larry Kim Smith) (Planner: Matt Heime!)

Commissioner Murray stated he is ill prepared to vote on the matter as he was out of state last week so he will be abstaining.

Kevin Hamilton, Deputy Director of Planning, presented the proposed buildings for lease or rent for 3915 McHugh Lane, to be known as "McHugh Drive Rentals BLR." The application proposes the construction of five additional rental houses on the existing 2.915 acre tract. He noted there was an issue with adequate site access and adequate fire protection which has since been validated with the West Valley Fire Department through conversations with the Fire Chief, Jerry Shepard. Chief Shepard stated they have no concerns with access or design.

A motion was made by Commissioner Hunthausen to approve the proposed buildings for lease or rent for 3915 McHugh Lane, to be known as "McHugh Drive Rentals BLR and seconded by Commissioner Geise.

Commissioner Hunthausen reviewed the criteria for the proposed buildings for lease or rent, as submitted or conditioned and they comply with these regulations and all other applicable regulations to the property, and avoid or minimize potential significant impacts on the physical environment and human population in the area affected by the proposed buildings for lease or rent.

A motion was made by Commission Hunthausen to approve the findings of fact as presented and seconded by Commissioner Geise.

Commissioner Geise noted the findings of fact that pertained to the detention pond that will be installed on site, that the project is not in a floodplain, the two ingress/egress routes into the area and noted the comments received from Chief Sheppard.

The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen to accept the conclusion of law that the proposed buildings for lease or rent can be brought into compliance with these regulations and other regulations applicable to the property, and avoid or minimize potential significant impacts on the physical environment and human population in the area through Condition of Approval Nos. 1, 2, 3, and 4. The

motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

Commissioner Hunthausen reviewed the criteria for adequate water, wastewater, and solid waste facilities are available to serve the proposed buildings for lease or rent.

A motion was made by Commissioner Hunthausen to accept the findings of fact as presented and seconded by Commissioner Geise.

Commissioner Geise noted the project is subject to DEQ approval, it will have the addition of two new wells and it is located in the Scratchgravel Solid Waste District.

The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen that the adequate water, wastewater, and solid waste facilities are not available to serve the buildings for lease or rent; however the proposed buildings for lease or rent can be brought into compliance with these regulations through Condition of Approval No. 1. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

Commissioner Hunthausen reviewed the adequate access to the site is provided to serve the proposed buildings for lease or rent and noted the comments received from West Valley Fire District that stated there is no concerns with access or design with the project.

A motion was made by Commissioner Hunthausen to add the finding of fact that includes the comments received from the West Valley Fire District and remove finding of fact B. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen to adopt the amended conclusion of law that adequate access to the site is provided to serve the buildings for lease or rent. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

Commissioner Hunthausen reviewed the adequate emergency medical, fire protection, and law enforcement services are available to serve the proposed buildings for lease or rent.

A motion was made by Commissioner Hunthausen to accept the findings of fact with the addition of the finding of fact that includes the comments received from the West Valley Fire District. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen to adopt the amended conclusion of law that adequate emergency medical, fire protection, and law enforcement services are available to serve the buildings for lease or rent. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

Commissioner Hunthausen reviewed the findings of fact that the proposed buildings for lease or rent comply with any applicable floodplain regulations and noted that the property is not located within a floodplain and there were no comments received from the Disaster and Emergency Services Coordinator.

A motion was made by Commissioner Hunthausen to approve the findings of fact as presented and seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen to adopt the conclusion of law that there is no floodplain on this property and therefore there are no applicable floodplain regulations and seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

A motion was made by Commissioner Hunthausen to accept the amended draft conditions of approval eliminating numbers 5 and 6 and seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

The motion on the table is to conditionally approve the proposed buildings for lease or rent for 3915 McHugh Lane, to be known as "McHugh Drive Rentals BLR" as amended. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0-1 vote with Commissioner Murray abstaining.

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

Kim Gardner of Intermountain stated her appreciation and consideration for the designation of funds for adult and youth services.

Adjourn

There being no further business, the meeting adjourned at 9:34 am.


LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman


Susan Good Geise, Vice Chair


Andy Hunthausen, Member

ATTEST:


Paulette DeHart, Clerk of the Board