



PUBLIC MEETING

June 16, 2022

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, June 16, 2022, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Chair Jim McCormick called the meeting to order at 9 a.m.

Commissioner Tom Rolfe and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Roger Baltz, Misty Edwards, Charles Lane, Jessica Makus, Kellie McBride, Bri Lake, Tiffany Mowery, Jennifer Norris, Dustin Noel, Mark Piskovich, Carrie Krepps, Audra Zacherl, Jenny Chambers, Kevin Horne, Jackie Pierson, Nadine McCarty, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Resolution 2022-38 Intention to Create the Long Gulch Rural Improvement District. (Jessica Makus)

Jessica Makus, Special Districts Program Coordinator, presented the resolution of intention to create the Long Gulch Rural Improvement District (RID) for the purpose of improving and maintaining Long Gulch Road. Staff received a petition, signed by 71% of property owners, satisfying the necessary 20% of property owners per County policy in order to consider the petition. The proposed District boundary includes seven properties.

Improvements includes drainage remediation, culvert installation, surface preparation with the PTH crusher, grading and compacting with estimated financing at \$22,085. Each benefited property is proposed to be levied a 15-year debt service assessment of \$294 annually. Maintenance includes snow plowing and sanding, annual grading, gravel maintenance, drainage maintenance, and other items as necessary to preserve road improvement. Annual maintenance is estimated at \$1,225 with each benefited property proposed to be levied an annual \$175 maintenance assessment. The resolution of intention to create will run in the Independent Record for two Sundays and a notice will be

mailed to all benefiting properties with public comment due by 4:00 pm on July 22, 2022. Staff recommends approval of the resolution.

Commissioner Hunthausen stated that residents approached County about RID.

No public comment was received.

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

Agreement Between Lewis and Clark County and Montana Supreme Court Office of the Court Administrator. (Kellie McBride)

Kellie McBride, Criminal Justice Services Director, presented the agreement with Montana Supreme Court Office of the Court Administrator (OCA) for the continuance of the Lewis and Clark County Pretrial Services Pilot Program in the amount of \$97,000. The purpose is to maximize pretrial release of defendants while maximizing court appearance and public safety. Lewis and Clark County has received OCA funding since May 2018. The agreement begins July 1, 2022, through June 30, 2023. Staff recommends approval of the agreement with Montana Supreme Court Office of the Court Administrator.

Brie Lake, Criminal Justice System Program Analyst, presented Pretrial Services Dashboard. Seventy six percent of all cases have been successful with 95% of defendants making all court appearances and 79% remaining law abiding. Data is available online.

Ms. McBride explained that the figures are based on a national average and Lewis and Clark County is well above the national average, which is 70%. These services also send out text reminders of court dates and updates. Pretrial Officers are certified Peace Officers.

Judge Mark Piskovich worked in probation in the past and supports the program. The public safety assessment is a scoring device that assesses criminal history and previous failures to appear in court. The assessment puts a number to risk of failure to appear and danger to the community. This determines the level of supervision and conditions of pretrial services. The level of supervision determines what resources will be offered to the offender. Over-supervision could push offenders in the opposite direction of what the goal of the program is for. The program is saving the County money by keeping people out of the detention center. The pretrial officers build relationships and repertoire with offenders, gaining trust, and gives the defender an understanding of the system, gains trust and respect for the system.

No public comment was received.

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

Bid Opening. One Used Water Truck. (Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the bid opening for the purchase of one used water truck. One bid was received from Transport Equipment Incorporated of Missoula, Montana.

The bid is for a 2008 International 9200 with 41,119 miles. Manufactured 2017 Matav 3,500 gallon for \$89,900. Delivery date is two weeks from bid award.

No public comment was received.

A motion was made by Commissioner Rolfe for staff to take the bid under advisement and make a recommendation to the Commission on June 23, 2022. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Bid Award. Bulk Magnesium Chloride. (Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the bid award for the 2022 bulk magnesium chloride supply to be delivered to the bulk holding facility at the Public Works yard. On June 9, 2022, a bid opening was held and one bid was received. Staff recommends awarding the bid to the only bidder, Dustbusters of Evanston, Wyoming at the unit cost of \$141 per ton delivered for a total sum not to exceed \$90,000. The bid is more than last year but not more than was anticipated.

No public comment was received.

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

Resolution 2022-39 Establishing the Lewis and Clark County Landfill Fee Rates. (Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the resolution to change landfill fees. On March 31, 2022, the Scratch Gravel Solid Waste District Board approved several changes to the landfill fees and on May 31, 2022, the public comment period opened on the following changes: require a 1/2 ton minimum on contaminated soil at the rate of \$30 per ton; add a \$250 demolition fee for mobile/manufactured housing plus the tipping fee; add a \$150 demolition fee for travel trailers and boats plus the tipping fee. All other landfill fees listed remain the same. The resolution was advertised in the Helena Independent Record on June 6 and June 12, with public comments accepted by 4:00 pm on June 15, 2022. None was received. Staff recommends approval of the resolution.

No public comment was received.

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

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 2023. The funds are pass-through funds from the Department of Public Health and Human Services (DPHHS), which receives the tax revenue collected from the sale of all liquor products sold in Lewis and Clark County. The funds are to be used for 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. She explained the three equal distributions of tax revenues that the County receives throughout the fiscal year and the possibility of a fourth payment should revenues collected by the state exceed the distributions. In fiscal year 2021, the County received three distributions of \$34,818 and a final payment of \$92,845.

Boyd Andrew has received the funding for many years and Intermountain Community Services began receiving funds in fiscal year 2015 for their youth alcohol prevention program. The funding has been split 50-50 between the two organizations. Staff recommends the FY23 funds be distributed as follows: 45% to Boyd Andrew, 45% to Intermountain Community Services, 5% to YWCA and 5% to Florence

Crittenton. In the past there were only two providers approved by the state. The state since has approved seven more entities. County Finance released a Request for Proposals from all state approved programs that serve Lewis and Clark County. Four proposals were received. The proposals were reviewed and considered.

PUBLIC COMMENT:

Carrie Krepps, Florence Crittenton Director, expressed concern with smaller funding percentages. There are public services that will not be afforded due to the small amount of funding.

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

Board Appointments. (Roger Baltz)

Roger Baltz, Chief Administrative Officer, presented the board appointment and recommended the appointment of Trenten DeBoo to the Lewis and Clark County DUI Task Force as the East Helena Police Department representative to complete a term that expires December 31, 2022.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe 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 10:14 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS




Jim McCormick, Chair



Tom Rolfe, Vice Chair



Andy Hunthausen, Member

ATTEST:  


Amy Reeves, Clerk of the Board