



PUBLIC MEETING

June 29, 2017
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, June 29, 2017, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman 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, Marni Bentley, Arlene Brunlion, Robie Culver, Paulette DeHart, Jennifer Demers, Kari DesRosier, Laura Erikson, Nancy Everson, Karie Frydenlund, Eric Griffin, Keith Hatch, Micah Kemper, Tamara Lewis, Charles Lane, Jenme Leslie, Kevin Leslie, Robie Marcouz, Lindsay Morgan, Rodger Nordahl, Jessamine Plovovich, Sherry Smith, George Theborge, Connie Willerst, Sarah Woods, Audra Zacherl, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending June 30, 2017. (Marni Bentley)

Roger Baltz presented consent action item 2 a and recommended approval.

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.

- b. Resolution 2017-71 Setting the Salaries for Certain Elected Officials. (Kari DesRosier)

Roger Baltz presented consent action item 2 b and recommended approval.

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.

- c. Resolution 2017-72 Setting the Salary for the Lewis and Clark County Justice of the Peace and Establishing Office Hours. (Kari DesRosier)

Roger Baltz presented consent action item 2 c and recommended approval.

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.

- d. Release and Settlement Agreement Between Lewis and Clark County and Back Door Mountain, LLC. (Charles Lane)

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

No public comment was received.

A motion was made by Commissioner Hunthausen to approve the Release and Settlement Agreement as presented and seconded by Commissioner Good Geise. The motion Passed on a 2-1 vote with Commissioner McCormick voting against.

Contract Between Lewis and Clark County and Hard Rock Road Building & Utilities, Inc. (Eric Griffin)

Eric Griffin, Public Works Director presented the contract with Hard Rock Road Building & Utilities, Inc. in an amount not to exceed \$22,000 for the demolition and removal of an existing heavy duty concrete structure on Centennial Trail near the wildlife center. The work will begin upon contract approval and to be completed by September 30, 2017. The trail will be protected during the process. County staff will take care of the fence, weed control and seeding of disturbed areas. Staff recommends approval.

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.

Contract Between Lewis and Clark County and CAP Paving, Inc. (Audra Zacherl)

Audra Zacherl, Public Works Assistant Director, presented the contract with CAP Paving, Inc. in an amount not to exceed \$27,202.50 for crack seal services on multiple roads in the Helena Valley including various Rural Improvement District roads. This includes all materials, labor, equipment and any necessary traffic control signage. The work will begin upon contract approval and to be completed no later than July 30, 2017. Staff recommends approval.

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.

Resolution 2017-58 to Establish Fee Schedule for the Lewis and Clark County Fairgrounds. (Keith Hatch)

Keith Hatch, Fairgrounds Manager, presented the resolution to establish the new fee schedule for the fairgrounds to take effect July 1, 2017. The fee schedule reflects the costs affiliated with the operations of the fairgrounds facilities. The Fair Board and staff recommend adoption of the fee schedule.

Commissioner McCormick referenced that the fairgrounds operates as an enterprise fund. The fairgrounds is technically a for profit entity. Mr. Hatch noted fairly extensive surveys are completed on other facilities throughout the state of Montana and elsewhere with like services. The fairgrounds is competitive with other facilities.

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.

Task Order 18-07-4-51-103-0 Between Lewis and Clark Public Health and the Montana Department of Public Health and Human Services. (Robie Marcoux)

Robie Marcoux, Public Health Case Manager, presented the task order with the Montana Department of Public Health and Human Services in the amount of \$7,500. The grant award is for HIV case management services for individuals in the Tri-County area. The grant period is August 1, 2017 through June 30, 2018. This is half of the amount received in past years due to individuals having health insurance altering the need for some to have the intense case management. There are currently twenty-nine individuals in the Tri-County area living with HIV or AIDS with services provided to thirteen. Public Health has provided Ryan White Part B services to individuals in the community since 2009 and is the only entity providing the service. The Case Manager works with St. Peter's Hospital and all medical providers. Staff recommends approval.

Ms. Marcoux noted that Ryan White Part B can help pay for Medicaid expansion and the Affordable Care Act premiums allowing individuals to have full coverage instead of the focus on HIV medications.

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.

Resolution 2017-60 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2015 and June 30, 2016 from the County Clerk's Office Pursuant to Section 7-6-2607, MCA. (Sarah Woods)

Sarah Woods, Accounting Clerk presented the resolution canceling uncalled warrants drawn on US Bank of Helena with a date of issuance between July, 2015 and June 30, 2016 from the County Clerk's Office. Pursuant to Section 7-6-2607, MCA the Board of County Commissioners must cancel all county warrants that have remained uncalled for one or more years. The process is part of the fiscal year cleanup and adjustments. When the uncashed warrants are canceled the money is deposited into the County's General Fund. The county will continue to be liable for payments on the checks. If an uncashed check did appear research would be completed and a payment would be reissued.

Ms. Woods stated after three years the funds remain in the miscellaneous account

Rodger Nordahl, Accounting Director clarified prior to presentation of the resolution that staff review the warrants and attempt to contact the individual they are written to. Once the warrants are over a year old they are presented to the Commission.

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.

Resolution 2017-61 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2015 and June 30, 2016 from the Fairgrounds Fund #719 Pursuant to Section 7-6-2607, MCA. (Sarah Woods)

Sarah Woods, Accounting Clerk, presented the resolution canceling uncalled warrants drawn on US Bank of Helena with a date of issuance between July 1, 2015 and June 30, 2016 from the Fairgrounds Fund No. 719. After the approval of the resolution the county will be liable for the payments.

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.

Resolution 2017-62 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2015 and December 31, 2016 from the Sheriff's Commissary Fund #703 Pursuant to Section 7-6-2607, MCA. (Sarah Woods)

Sarah Woods, Accounting Clerk, presented the resolution canceling uncalled warrants drawn on US Bank with a date issuance between July 1, 2015 and December 31, 2016 from the Sheriff's Commissary Fund No. 703. These funds will also be deposited into the County's General Fund and the county will continue to be liable for the payments.

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.

Resolution 2017-63 Canceling Uncalled Warrants Drawn on US Bank of Helena with a Date of Issuance Between July 1, 2015 and June 30, 2016 from the Justice Court Pursuant to Section 7-6-2607, MCA. (Sarah Woods)

Sarah Woods, Accounting Clerk, presented the resolution canceling uncalled warrants drawn on US Bank of Helena with a date of issuance between July 1, 2015 and June 30, 2016 from the Justice Court. After approval of the resolution the county will continue to be liable for the payments.

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.

Resolution 2017-64 Canceling Uncalled Warrants Drawn on US Bank of Helena with a date of Issuance Between July 1, 2015 and June 30, 2016 from the Treasurer's Office Accounting Department Pursuant to Section 7-6-2607, MCA. (Sarah Woods)

Sarah Woods, Accounting Clerk, presented the resolution canceling uncalled warrants drawn on US Bank of Helena with a date issuance between July 1, 2015 and June 30, 2016 from the Treasurer's Office. The primary use of the checking account is to issue refunds for over payments. Upon approval of the resolution the funds will be deposited into the County's General Fund and the county will continue to be liable for the payments.

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.

Resolution 2017-65 Ordering the Cancellation of Real Property Taxes That Have Been Delinquent for 10 Years or More. (Karie Frydenlund)

Karie Frydenlund, Property Tax Supervisor gave an explanation on real estate taxes and presented the resolution to cancel real property taxes that have been delinquent for ten years or more, the listed are for 2005. Pursuant to Section 15-16-701 section 2, MCA a report is submitted to the commission for these delinquent taxes. This is the year end cleanup and adjustment of accounts receivable for uncollectable real estate taxes.

Commissioner McCormick asked if the county has any recourse on uncollectable real estate taxes. Ms. Frydenlund explained the properties are no titled buildings, billed through real estate with no ability for a clear title or a tax lien sale; the other are unbuildable parcels or roadways.

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.

Resolution 2017-66 Ordering the Cancellation of Real Property Taxes That Have Been Delinquent for 10 Year of More. (Karie Frydenlund)

Karie Frydenlund, Property Tax Manager, presented the resolution canceling real property taxes that have been delinquent for ten years or more based on 2006 tax year. All resources have been used to try and collect any unpaid taxes. Many are no title buildings, tract land near a roadway, or unbuildable parcels.

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.

Resolution 2017-67 Ordering the Cancellation of Personal Property Taxes That Have Been Delinquent for 5 Years. (Karie Frydenlund)

Karie Frydenlund, Property Tax Manager, presented the resolution canceling personal property taxes that have been delinquent for five years. These properties are abandoned mobile home personal property taxes that cannot be collected. All resources have been used to locate the owners to no avail.

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.

Resolution 2017-68 Ordering the Cancellation of Personal Property Taxes That Have Been Delinquent for 5 Years. (Karie Frydenlund)

Karie Frydenlund, Property Tax Manager, presented the resolution canceling personal property taxes that have been delinquent for five years. The properties are for mobile homes for the year 2010. All resources have been used to attempt to collect with no success.

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.

Resolution 2017-69 to Authorize Submission of CDBG Application. (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented the resolution to authorize the submission of a Community Development Block Grant (CDBG) application. This grant is to provide funds to West Mont Farm & Gardens for extensive renovations to the group home located on the West Mont property.

Ms. Erikson introduced Arlene Flynn with West Mont. Ms. Flynn stated the renovations and improvements for the group home will improve the safety and functionality of the home. It will be fully ADA accessible. It will also allow residents to age in place. Many of these residents have

been at the home for years. Ms. Flynn gave an overview of the provided services, vocational programs, and the thirteen residential facilities.

Ms. Erikson stated West Mont is required by the Montana Department of Commerce to have a local government sponsor. In conjunction with the city an annual community needs assessment is conducted with local non-profits presenting their projects. This is an opportunity for an actual sponsorship of a construction grant. The resolution only gives the authorization to submit the application; not a guarantee of funds. The project is approximately \$870,000. The alternative analysis determined renovating the existing structure was financially more feasible than the construction of a new building.

PUBLIC COMMENT -

Robie Culver, Stahly Engineering, stated she is pleased to assist in the grant application process.

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

Grant Agreement Between Lewis and Clark County and Montana Department of Commerce. (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented the grant agreement with the Montana Department of Commerce in the amount of \$450,000 for the renovation of the Murray Building. The renovation will accommodate Public Health staff and enable the staff to be together in one facility. The contract period is upon execution through December 27, 2018. The goal is be completed by July 1, 2018.

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 Applicaton to the Bureau of Land Management. (Nancy Everson)

Nancy Everson, Chief Financial Officer presented the grant application to the Bureau of Land Management (BLM) in the amount of \$50,000, with a local soft match of \$38,850 for a total amount of \$88,850, for fire mitigation. The County is contracted with the Tri-County FireSafe Working Group for the mitigation services. BLM is asking to amend the application as it was determined another \$25,000 is available and the grant would then be \$75,000.

Commissioner Good Geise referenced the agenda item lists the \$50,000 not the \$75,000 and asked legal if it is appropriate to amend the \$75,000 in the resolution. Charles Lane, Deputy County Attorney confirmed it would be acceptable.

No public comment was received.

A motion was made by Commissioner Hunthausen to approve the grant application to the BLM for \$75,000 and seconded by Commissioner McCormick.

Ms. Everson confirmed the amount of soft match does increase to \$58,227 for a total of \$133,227.

Commissioner Good Geise noted there is a motion on the floor. The motion Passed on a 3-0 vote.

Request for Approval of the Updated Investment Policy. (Rodger Nordahl)

Rodger Nordahl, Accounting Manager, presented an overview on the accounting policies and standards. The policies have not been updated in a number of years. The Government Accounting Standards Board (GASB) has generated new standards. The State of Montana law directs most of the aspects of local government finances and reference or adopt the GASB standards. The policies needed to be updated due to the changes.

This request is for approval to update the investment policy. On May 15, 2017 the Investment Committee approved the policy updates. Mr. Nordahl gave a summary of the significant modifications: new section of definitions; new section of directives, with four subsections; deletion of qualified institutions, changes are in the new directives section. Staff recommends approval.

Paulette DeHart, Treasurer, Clerk and Recorder explained the at-large member positions are advertised for just like other boards.

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.

Request for Approval of the Updated Capital Asset Policy. (Rodger Nordahl)

Rodger Nordahl, Accounting Manager presented the request for approval to update the capital asset policy that was in draft status until this update and gave a brief summary of the modifications. The accounting department has been following the draft policy knowing additional standards were coming, which are now included. Staff recommends approval.

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.

Request for Approval of the Updated Internal Control Policy. (Rodger Nordahl)

Rodger Nordahl, Accounting Manager presented the request for approval to update the internal control policy and gave a brief summary of the significant modifications. Staff recommends approval.

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.

Request for Approval of the Updated Cash Management Policy. (Rodger Nordahl)

Rodger Nordahl, Accounting Manager presented the request for approval to update the cash management policy and noted the policy is one of the most significantly influenced policies by Montana State law. There are five to six pages of Montana Code Annotated (MCA) associated with the policy. Mr. Nordahl gave a brief summary of the policy and the different cash aspects of the county that it covers. Staff recommends approval.

Commissioner McCormick noted the policies that Mr. Nordahl has discussed is available as public record. Mr. Nordahl stated most are online and accessible such as the year end financial report. Some items may have to be requested.

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.

Resolution No. 2017-70. Applegate Meadows Rural Improvement District No. 2017-10
(Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the resolution of intention to create the Applegate Meadows Rural Improvement District (RID). The purpose of creating the District is to fund internal roadway maintenance for the Amended Plat of Lot A - Guettler Subdivision No. 2, known as Applegate Meadows Subdivision.

Ms. Morgan noted the Commission may adopt a resolution of intention to create a district without a petition. All property owners within the proposed District have waived the right to protest through their restrictive covenants. A protest period will still be held pursuant to statutory requirement.

Creation of the RID is proposed to correct a situation where the creation of the RID to fund internal roadway maintenance was not completed in 2008 when final approval was received. The developer did submit all required paperwork to complete it, but the RID was not created. The estimated costs stated in the resolution of intention have been structured to compensate for the situation.

There is anticipation that a resolution to levy and assess the District will be brought before the Commission prior to August 31, 2017.

Commissioner Good Geise confirmed with Ms. Morgan that the RID was intended to be established, paperwork was submitted and the County did not follow through. Ms. Morgan confirmed a change was made in the process that prior to final plat approval the RID must be formed alleviating this situation.

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.

Extension Request. Amended Plat of Lot 5 - Lakeside Heights Subdivision (Applicant: RJCJ, Inc.) (Planner: Lindsay A. Morgan)

Lindsay Morgan, Planner II, presented the request to extend the preliminary subdivision approval for the Amended Plat of Lot 5 - Lakeside Heights Subdivision until June 30, 2019. The Subdivision was granted preliminary approval on December 14, 2006.

The property is located south of York Road, east of and adjacent to Sapphire Drive and is approximately twenty-six acres. The Subdivision will create two lots, with a combined total of twenty-eight condominium units, each for one single-family dwelling. Proposed Lot 5A will have sixteen condominium units with twelve units on proposed Lot 5B. The Subdivision will be served by fourteen shared wells, one for every two units, two community wastewater treatment systems and utilities. Access to the lots is off of York Road via either Sapphire Drive or a proposed internal access road.

According to the Applicant's extension request application form, the property has been maintained as a farm. The Applicant stated all required conditions of preliminary approval have been completed, with the exception of the roads, utility installation, and wastewater treatment systems. The Applicant further states that the material for completion of the roads and required fencing has been purchased, and that RJCJ, Inc. has entered into a partnership with Big Sky Utilities contingent upon the extension of the preliminary approval. According to the form, the latest improvement completed is a closed irrigation system, which eliminated the need for two sump pumps and provides for additional safety. It is further stated that the Applicant plans to reposition

the underground irrigation pipe to the property boundary in the fall, which will provide for better future access. The Applicant finished by stating the plan is to start construction of the roads and utilities in the spring of 2018, and that this will be the final extension request.

Staff inspected the property on June 24, 2017 and there were no on-site improvements related to the conditions of preliminary approval that had appeared to have been completed. In addition, no information has been submitted to verify completion of any requirements.

Staff was able to locate a copy of the DEQ approval from 2007, however, it is unknown if the preliminary approval for the wastewater treatment portion of the approval has expired. There does not appear to be an expiration for the wastewater treatment system, but typically a public system is required to be installed within a specified timeframe.

Ms. Morgan referenced the Growth Policy update that the County Commission adopted on March 3, 2016 and included two volumes: Volume I - Key Issues Report, which explores the five development constraints in the Helena Valley (water, wastewater, roads, fire, and flooding), and policy options for response; Volume II - Helena Valley Area Plan makes specific recommendations for pursuing a balanced mix of public investment, density controls, improved regulations, and public education for designated Urban, Rural, and Transitional Growth Areas.

The Amended Plat of Lot 5 Lakeside Height Subdivision lies within the Rural Growth Area (RGA). The RGA was established through consideration of lands identified as having constraints related to water availability, poor road conditions, and rural fire protection systems that lack the necessary resources and personnel to support the demands of urban and suburban development. The identification of the constraints has warranted a growth management strategy within the RGA that facilitates low-density, rural developments, as opposed to allowing for urban and suburban developments that may require public capital to support them in order to overcome constraints. Ms. Morgan gave an overview of the Helena Valley Area Plan policy requirements that support rural development through infrastructure improvements for rural road and fire protection standards. The RGA further identifies policies to limit development density controls through minimum lot size requirements to ensure that urban and suburban densities do not occur in areas constrained by water availability, poor road conditions, and rural fire protection systems. Additional policies call for improved performance standards to facilitate rural constraints through a master development plan and/or greater analysis of water availability and possibly the use of enforceable limitations on irrigation. If the constraints of urban or suburban development cannot be mitigated in the RGA through improved performance standards, the Helena Valley Area Plan supports greater density developments.

After evaluation of the requested extension for the Amended Plat of Lot 5 Lakeside Heights Subdivision, staff determined that although the preliminary approval is not compatible with the development density supported under the RGA, the preliminarily approved subdivision's location adjacent to York Road, a state highway; the relatively low risk of insufficient water resources, noted in a memo dated June 12, 2015 from James Swierc; and the current condition of approval related to fire protection, requiring a fire protection system that provides 1,000 g.p.m for two hours, may address the development constraints of the RGA. There is a potential concern of the capacity of the Tri-Lakes Fire Service Area to capably serve the level of development density if the density pattern continues on adjacent or nearby properties.

Ms. Morgan confirmed with Commissioner Hunthausen that in 2006 when the conditions of approval were placed upon the subdivision a permit was received from DEQ and that the county has no control over that. The two community wastewater treatment systems are required to be installed in accordance with the DEQ approval. There is the possibility they could financially guarantee this improvement. Commissioner Hunthausen stressed his concern about the adequacy of a system that DEQ approved ten years prior.

Commissioner Good Geise asked if progress shown towards the conditions is a policy or mandated by statute when extensions are considered. Ms. Morgan stated they are looking to put this in the subdivision regulations recommended by the Montana Association of Counties. But there is currently no specific criteria related to extension requests in the regulations.

PUBLIC COMMENT -

Ron Johnson, 3272 Grand View Road, East Helena stated he is present to answer any questions as best he can. Mr. Johnson noted the main progress made is the installation of a closed irrigation system, removing two open water sources adjacent to the subdivision. Since the closure, natural pressure has been created from the drop in the pipeline and it's been determined in the long term one of the pipelines will not be adequate. Mr. Johnson gave an overview of the process that will occur to eliminate the pipeline going through the subdivision for future use.

Mr. Johnson stated the main improvements left: are the internal roads, drainfields, and power, all of which are high dollar and he wants to do them all at once. Mr. Johnson noted contingent upon approval there is a partnership with Big Sky Utilities.

Commissioner McCormick confirmed with Mr. Johnson that the timeframe is enough to accomplish all that is needed.

Mr. Johnson referenced the questions of no progress and stated in 2007 the market crashed and stayed down for a couple of years. Mr. Johnson noted he was also involved in other subdivisions at that time and it all became financial reasons.

Mr. Johnson noted in 2015 they met with the DEQ and found it would cost another \$1,200 in application fees and another 90 day process, but everything should be fine. Lindsay Morgan corrected the initial statement that possibly a financial guarantee could be used on the wastewater treatment systems and after review of the conditions of approval it is not possible. It would have to be completed at final approval.

A motion was made by Commissioner Hunthausen to grant the extension as requested by the Applicant until June 30, 2019 and seconded by Commissioner McCormick. 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.

Kevin Leslie, 1 Upper Andy Creek Lane in Cascade, MT handed out a packet to the Commission. Commissioner Good Geise confirmed with Charles Lane, Deputy County Attorney that the information received is appropriate as it pertains to the Dearborn Fire Service Area.

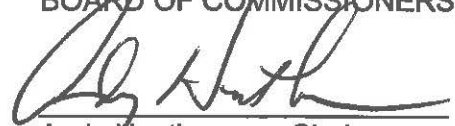
Mr. Leslie stated he had learned of the Dearborn Fire Service Area (DFSA) fee increase a few days prior to the meeting on the 22nd. He wanted to give his opinion at that time, but felt it better to give an informed opinion. Mr. Leslie gave an overview of what he found: the number of properties within the district and the breakdown of those properties to include many alongside the Missouri River that are easily accessible; 60 percent of the properties will have a direct benefit from the fee increase; the 40 percent of mountainous properties will receive no benefit due to location, and be obligated to foot the cost for the 60 percent; the 166 percent increase is unprecedented and unfair to the retired Veterans on Social Security and Disability and other retirees on fixed incomes; it is unclear whether the sliding scale based on taxable value will meet the MCA regulations, Mr. Johnson quoted MCA 7-33-24 Sec 2; according to the Internal Revenue Service, paid volunteers are considered employees, resulting in additional paperwork for the district; the only reason for a fee increase presented that could be warranted is the four-wheel drive water pumper truck; the DFSA has not

worked to benefit all of the residents. For these reasons they feel the Board of Trustees have not justified the request for a fee increase of \$200.

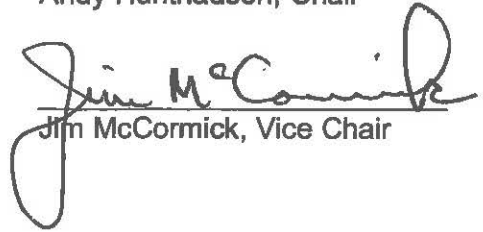
Adjourn

There being no further business, the meeting adjourned at 11:19 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



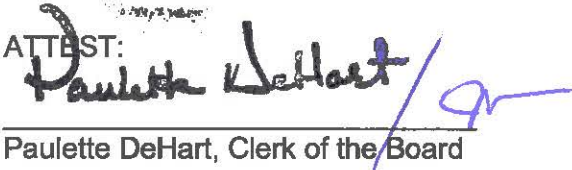
Andy Hunthausen, Chair



Jim McCormick, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board

