



PUBLIC MEETING

July 19, 2022

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, July 19, 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, Charles Lane, Angie Hubbard, A.C. Rothenbuecher, Dawn Temple, Jolene Jennings, Lindsay Morgan, Sarah Sandau, Jerry Hamlin, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Agreement Between Lewis and Clark County and Behavioral Health Systems Improvement Partners. (A.C. Rothenbuecher)

A.C. Rothenbuecher, Community Health Promotion Division Administrator, presented the agreement with Behavioral Health Systems Improvement Partners that includes Lewis and Clark Public Health, Lewis and Clark County Sheriff's Department, St. Peter's Health, PureView Health Center, and Shodair Hospital. The agreement documents the roles of the partners on behavioral health systems improvement work in the county and states that each partner will contribute \$10,000. The agreement begins upon signature through June 30, 2023. The agreement finalizes funding obligations, and states Lewis and Clark County Public Health is responsible for staffing Behavioral Health Systems.

Jolene Jennings, Behavioral Health Systems Improvement Specialist, gave overview of Behavioral Health Systems Improvement Leadership Team and the Behavioral Health Advisory Council. She described focuses on response, stabilization, prevention, and intervention by identifying gaps in treatment and services. Crisis Now includes three pillars. Crisis Call 988 is a suicide prevention and mental health crisis hotline. The Mobile Crisis Response Team (MCRT) sends a person to respond to crisis. Crisis Receiving and Stabilization facility is a place for people in crisis to go if they require more treatment than de-escalation over the phone. 911 dispatch, Montana 211 and Crisis Call 988, and Voices for Hope all reach responders. St. Peter's Health operates mobile response at their facility. Services received in helping de-escalate crisis victims have allowed people stay at home. The leadership team is working on a crisis stabilization facility, Journey Home. They are looking to launch with four goals. They include empath clarity with St. Pete's Health on adult population, a business plan for crisis receiving and stabilization, partnership contributions and defining roles included with primary provider, and county due diligence. Care mapping and continued care are frequently being updated. Public comments showed support for a bundle package of Medicaid reimbursement vs. assessment

Commissioner Hunthausen made a motion to accept the findings of facts recommended by the Planning Board for the variance from Chapter 11 F9. Commissioner Rolfe seconded the motion. The motion passed on a 3-0 vote.

The findings from Chapter 11 F9 states that double frontage lots are prohibited except where necessary for separation from arterials or collector streets or to overcome specific disadvantages to topography or orientation. Proposed lots 127-27, 127-30 are fronted by Musselshell Road and Monarch Road. Lot 127-27 is designated to contain flood plain and is reserved for that purpose. Lot 127-30 is designed for a walking path and will separate flood plain from building lots.

Commissioner Hunthausen made a motion to adopt a conclusion of proposed variance from Chapter 11 F9. The process complies with the four criteria for granting variances from the standards of requirements from the subdivision regulations and approves the variance application. Commissioner Rolfe seconded the motion.

Conclusions meet all four criteria. The variance will not be detrimental to public health, safety or public welfare; undue hardships would result if regulations were enforced; granting variance will not cause an increase to public costs; and will not place the subdivision in non-compliance with adopted zoning regulations or applicable adopted plans.

The second variance request from Chapter 11 F7 is proposed to allow for a structure to have a length greater than three times it's average width. Proposed lot 127-30 is 8' wide and 689' long. Findings of fact is that the measurements are correct, it is proposed as park land for a walking path and is a buffer between flood plain and building lots. It will be built within accordance to the Public Works manual.

Four criteria for granting the variance have been met. Granting variance will not be detrimental to public health, safety or public welfare; undue hardships would result if regulations were enforced; granting variance will not cause an increase to public costs; and will not place the subdivision in non-compliance with adopted zoning regulations or applicable adopted plans.

Commissioner Hunthausen moved to approve the conclusions that the variance application does meet the four criteria. Commissioner Tom Rolfe seconded the motion. The motion passed on a 3-0 vote.

Commissioner Hunthausen moved to approve the variance as presented from Chapter 11 F7. Commissioner Rolfe seconded the motion. The motion passed on a 3-0 vote.

Commissioner Hunthausen went over findings of fact of the overall subdivision.

Impacts to agriculture prove minimal erosion and the land is not being used for agriculture. It is a lot within another major subdivision. Impacts on agricultural water users prove that each lot will have individual wells and there is no irrigation ditch on the property.

Impacts to local services for water and wastewater shows that irrigation supply and water supply by wells for each lot for water needs including irrigation and provides adequate water for fire protection through Red Fox Meadows and chiefs from East Valley Fire and Tri Lakes Fire indicate the existing system is sufficient for protection. Wastewater treatment services are planned to be provided through the East Helena wastewater treatment system.

Findings and facts related to utilities shows that utility easements are in compliance with regulations of County subdivision regulations. Conditions for approval include requirement to mitigate impacts of utilities under local services and will need to be addressed.

Findings and facts regarding roads and traffic shows that access will be through existing roads in the subdivision with a proposal to build two new roads, Prestige and Vermillion Way. Additional off-site roads will be required to be assessed by an engineer to study impacts to the roads. All internal roads in the subdivision will be part of an existing Rural Improvement District (RID) for Red Fox Meadows for

variance requests, conditions of approval and the findings of facts have been discussed. Commissioner Rolfe seconded the motion. The motion Passed on a 3-0 vote.

All concerns from public comment were addressed.

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

Jerry Hamlin, Developer, is concerned about a looming problem that has been ongoing for years. He is not asking for action but is alerting the Commission to potential future problems. When there is designated and assessed plots, even if for flood plain or park or walking path that make the lots non-assessable are still being taxed and required to pay maintenance fees. He gave a scenario of the homeowner's association (HOA) not paying taxes. It then gets sold to the public who pays the taxes and they get property that they can't do anything with because they are designated to non-assessable plots. He does not believe variances should be required for walking and bike paths. He believes listing them as non-assessable lots will save money and to not go through the process to have those lots valued.

Adjourn

There being no further business, the meeting adjourned at 10:22 a.m.

Meeting minutes approved on 10.4.22

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

Tom Rolfe, Vice Chair


Andy Munthausen, Member

ATTEST:


Amy Reeves, Clerk of the Board