



PUBLIC MEETING

July 27, 2017
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, July 27, 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, Brian Coplin, Paulette DeHart, Laura Erikson, Nicho Hash, Matt Heimel, Charles Lane, Dan Karlin, Mike Murray, Melanie Reynolds, George Theborge, Audra Zacherl, Glenn Hayes, Doug Nisbet, Jesse Whitford, Connor McGree, Loran Frazier, Pat Hennessey, Greg McNally and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Child and Youth Health Day. (Melanie Reynolds)

Melanie Reynolds, Lewis and Clark Public Health Officer, introduced Pat Hennessey, a retired dietitian. Ms. Hennessey was essential in bringing the Lewis and Clark County Children and Youth Project No. 633 to the citizens of Lewis and Clark County 50 years ago. The program was one of only 54 in the nation that was funded for children's health. Ms. Hennessey gave a brief history on the children's health program in the County.

Commissioner Hunthausen read the proclamation recognizing July 27, 2017 as Children and Youth Health Day in Lewis and Clark County.

Consent Action Items

a. Vendor Claims Report for Week Ending July 28, 2017. (Marni Bentley)

Roger Baltz reported on the consent action item 3 a and recommended 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 2-0 vote.

Bid Opening. Valley Drive Paving. (Audra Zacherl)

Audra Zacherl, Assistant Director of Public Works, opened the bids for the Valley Drive Paving project. One bid was received from Helena Sand and Gravel, Inc. of Helena, Montana in the amount of \$124,985.

Doug Nisbet, Public Works Road and Bridge Superintendent, explained the paving project on Valley Drive. The project is approximately 1/2 mile long and is the only stretch on Valley Drive that is currently dirt.

No public comment was received.

A motion was made by Commissioner McCormick to have staff take the bid under advisement and make a recommendation to the Commission at the August 3 public meeting. The motion was seconded by Commissioner Hunthausen. The motion passed 2-0.

Contract Amendment Number 3 to Contract #14-331-74087-0 Between DPHHS AMDD and Lewis and Clark County (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented contract amendment number three with the Montana Department of Public Health, and Human Services, Addictive and Mental Disorders Division for operational support of the Our Place Drop in Center. The amendment is for an additional 24 months and is in the amount of \$120,000. Ms. Erikson explained that Our Place Drop in Center is a mental health facility that is open to people who may be suffering from mental illness that is mostly peer run and allows people a safe place to seek help and participate in activities. The operations were run in the past by The Center for Mental Health but an RFQ for operational services was done earlier this spring and Western Montana Mental Health was awarded the contract for those operations.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Grant Agreement Between Lewis and Clark County and the Montana Healthcare Foundation. (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented the grant award from the Montana Healthcare Foundation for the creation of a comprehensive justice and mental health system with risk reduction services. The award is for \$97,350 with a local match of \$97,350 and the project period is for 24 months. The project will create a director position for County's Risk Reduction Program. The project will also include a consultant to assist in County data integration. The Risk Reduction Director will function as the Executive Director for the Criminal Justice Coordinating Council and the Citizen's Advisory Council and will be responsible for implementing a new County Risk Reduction Department with the mission to reduce the community risks or re-offending, changing the inequity in bail systems, and changing ineffective behavioral health services.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Resolution 2017-83 Adopting the Final Operating Budget and Setting Appropriation Authority for the Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018. (Nancy Everson)

Nancy Everson, Chief Financial Officer, presented the resolution to adopt the final operating budget for Fiscal Year 2018, beginning July 1, 2017 and ending June 30, 2018. The Commission held a public hearing in Helena on July 18 where residents of the County were allowed to offer public comment about the proposed budget. Ms. Everson stated that this resolution authorizes the appropriations for the year and establishes the legal spending limits at the fund level. The resolution also provides a way to amend the budget by giving the Chief Administrative Officer the authority to adjust the budget as outlined. This authority is also set in statute. The resolution also delegates authority to Department Directors and Elected Officials to make transfers or revisions within or among appropriations of specific operations within a fund, excluding personnel and capital appropriations.

Ms. Everson noted that section 5 states that property taxes are to be levied at the maximum allowed by law. This is because the final budget will be adopted before the exact amount of property taxes that will be levied during the year. Ms. Everson stated certified values should arrive the second Monday of August and then the County is required to adopt the final mill levies by the first Thursday in September.

PUBLIC COMMENT -

Mike Murray, 607 Lawrence St., stated he has reviewed the budget in its entirety. He congratulated the Commission on a conservative budget. He noted that elected officials salaries appear to be falling behind and that next year the County follow the Western Region CPI.

Commissioner McCormick stated that Commissioner Geise had left a note in her absence that she had reviewed the budget and she supports approval of the resolution.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Collection of Financial Security Due to Default of Subdivision Improvements Agreement with Frontier Builders, Inc. for Timberworks Estates, Phase I and Phase IV. (Subdivider: Frontier Builders, Inc.) (Planner: Greg McNally)

Greg McNally, Planner II, presented the collection of financial security due to a default of a Subdivision Improvements Agreement (SIA) with Frontier Builders, Inc. for Timberworks Estates, Phase I and Phase IV. The SIA was entered into on December 22, 2016 in which the developer agreed to complete certain improvements by June 28, 2017 and to provide written certification from their engineer that the improvements were complete. The developer is now in default of the SIA as they have not yet completed the application and certification of asphalt-seal coat on all internal access roads within Phase I and Phase IV. This work was estimated to cost \$17,534.90 and the developer provided a letter of credit in the amount of \$19,825.81 and had previously submitted a cashier's check in the amount of \$2,717.81 for a total of \$22,543.62. The County may draw on the security up to the face amount of the improvements; they may pursue legal action requiring the developer to complete the improvements or pay the costs for completion; or pursue other remedies recognized by law.

Mr. McNally presented an extension request application that was received July 21, 2017. The extension request is accompanied by another letter in the same amount as the previous letter of

credit and expires July 28, 2018. However, Mr. McNally added that the action on the agenda is a collection on the financial security due to default not an approval of an extension of the original SIA.

Charles Lane, Deputy County Attorney, stated that if the developer could affirm that the intent of the new letter of credit is to provide a new financial guarantee to the County, then the item could be tabled to allow time to process the extension request.

PUBLIC COMMENT -

Glenn Hayes, 1930 Lyons Creek Road, apologized that the chip seal has not been completed as planned. Mr. Hayes explained that they have been waiting for the power company to come in and install the utilities in the right of way before they do the roadwork. They did not intend to default on the SIA and they have been hoping to have someone come in and finish the project as a whole rather than in 2 small pieces, which is why they've been waiting for the power company. Mr. Hayes stated that the new letter of credit is meant to guarantee those improvements.

A motion was made by Commissioner McCormick to table the item until the regular meeting on August 10th for further review in anticipation of a new extension request. The motion was seconded by Commissioner Hunthausen and passed 2-0.

Resolution 2017-81 to Amend the Frontier Village Estates Rural Improvement District No. 2011-4 (Planner: Matt Heimel)

Matt Heimel, Special Districts Planner, presented the resolution to amend the Frontier Village Estates Rural Improvement. The purpose of amending the district is to change the scope of maintenance to remove the fire protection cost component. Maintenance of the fire protection system that services the Frontier Village Estates, Buckboard and Garden Valley Subdivisions is planned to be funded by a separate new district. A notice of intent to amend the district was adopted on June 22, 2017 and no letters of protest have been received.

Maintenance activities for the district will consist of roadway and mailbox unit upkeep, reverting to the original structure of the district before the Buckboard Subdivision was added. The new estimated annual cost for funding this district is \$9,540.08 or \$265 per benefited property.

No public comment was received.

A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.

Resolution 2017-82 to Create the Buckboard Rural Improvement District No. 2017-9 (Planner: Matt Heimel)

Matt Heimel, Special Districts Planner, presented the resolution to create the Buckboard Rural Improvement District (RID). The purpose of creating the district is to fund internal roadway and mailbox maintenance of the Buckboard Subdivision. Creation of the Buckboard RID is proposed to correct a situation where an amendment was not implemented in 2013 that would have funded maintenance within the Buckboard Subdivision as part of the existing Frontier Village Estates RID. The estimated costs stated in the resolution of intention have been structured to compensate for this situation. A resolution of intention to create the district was adopted on June 22, 2017 and no letters of protest have been received. Maintenance costs are estimated to cost \$8,759.73 annually or \$302.62 per benefited property.

No public comment was received.


A motion to Approve was made by Commissioner McCormick and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 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 10:16 am.

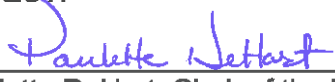
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chair


Jim McCormick, Vice Chair


Susan Good Geise, Member

ATTEST:


Paulette DeHart, Clerk of the Board