



## **PUBLIC MEETING**

July 28, 2020  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, July 28, 2020, at 9:00 AM in Commission Chambers Room 330.

### **Roll Call**

Vice Chair Andy Hunthausen called the meeting to order at 9 a.m.

Commissioner Jim McCormick was present. Commissioner Susan Good Geise was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Peter Italiano, Jessica Makus, Spencer Starke, Audra Zacherl, Kraig Pester, and Nadine McCarty, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Resolution 2020-50 Declaring County Property Surplus Property. (Amy Reeves)
- b. Resolution 2020-51 Declaring County Property Surplus Property. (Amy Reeves)

Roger Baltz reported on the consent action items 2 a-b 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 Award 2020 Motor Graders. (Tabled 7/7/20) (Audra Zacherl)**

Audra Zacherl, Public Works Assistant Director, presented the bid award for 2020 motor graders that was tabled on July 7, 2020 for further consideration to be taken by Public Works staff.

On June 30, 2020 two bids were opened for six new motor graders for the road department. According to the bid specifications, the committee was tasked with considering the bids based on purchase price, trade-in value, equipment warranty, equipment service guarantee, delivery date, parts and service personnel availability, parts and service facility location and analysis and comparison with similar or related equipment. Budget authority for the motor graders is in the FY21 road Capital Improvement Plan (CIP) for \$1,069,508 when netted with corresponding trade-in/resale revenue. Bids also included two additive alternates for snow wings and V-plows. The difference between the two bids was \$197,268.50. After further review, staff recommends awarding the bid to the low bidder, Tractor & Equipment Co., (T&E) of Billings, Montana for the purchase of three 2021 Caterpillar 150 AWD motor

graders for \$353,300 each, including the five year warranty; three 2021 Caterpillar 160 AWD motor graders for \$373,200 each, including the five year warranty; and three Rybind 12-foot folding V-Extreme snow plows (MDPX Series) including the nitrogen accumulator kits at \$19,755 each. In addition, T&E offered in their bid to provide a standby motor grader to be physically parked at the Public Works complex at all times and available if/when the county had motor grader warranty work or needed an extra machine. The bid required for the successful bidder to be able to provide a comparable replacement machine for warrantable work that causes continuous downtime greater than 16-work-week hours. For the record, liability reasons prevent T&E from parking the machine on county property unless it is being utilized by the county. Total purchase price for the six motor graders with comprehensive five-year warranties, three Rybind V-plows is \$2,238,765 less the trade-in value offered of \$1,194,480 for a total budget outlay of \$1,044,285.

Ms. Zacherl added Public Works contributes between \$500,000 and \$1 million annually to the CIP to support the necessary equipment.

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 2020-49 to Create the Lake Home Rural Improvement District. (Jessica Makus)**

Jessica Makus, Special Districts Program Coordinator, presented the resolution to create the Lake Home Road Rural Improvement District (RID). On June 18, 2020, the Commission adopted a resolution of intention to create the RID after a petition was received for the purpose of improving and maintaining Lake Home Road. The petition was signed by 78% of property owners within the proposed RID, satisfying the requirement of at least 60% of property owner signatures. After the resolution of intention was passed, a 30-day comment period was opened, with an additional two days added for the July 4th holiday. Notice of intention to create the RID and this hearing was sent to all property owners within the RID and legal ads were published on June 21 and June 28, 2020. The comment period closed on July 24, 2020 and as of that date no protests or comments were received by staff; therefore, there is not sufficient protest to bar proceedings.

If the RID is approved, each property owner within the RID will be assessed an equal amount, based on the total cost of the improvements and maintenance, pursuant to Section 7-12-2151(1) (d), MCA. Financing of improvements is estimated to total \$33,389.50, with a 10-year debt service, and each benefited lot is estimated to be assessed \$301.41 annually. The total estimated cost for annual maintenance is \$669.39 with each benefited lot being assessed \$47.81 annually. The resolution to levy and assess is anticipated to go before the Commission prior to August 31, 2020, so that assessment increase may take effect during the next tax year. Staff recommends approval of the resolution.

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.

#### **Amended Plat of Myles Minor Subdivision (tabled 7/23/20) (Applicant: Timothy & Elaine Myles) (Planner: Spencer Starke)**

Spencer Starke, Planner I, presented the amended plat of Myles Minor Subdivision that was tabled from July 23, 2020. The Applicant sent a request letter to extend the decision date to August 13, 2020. The reason for the extension is to explore reliable alternatives to the proposed fire protection variances.

Commissioner McCormick noted the Commission received an email late in the night on July 27, 2020 from John W. Herrin.

Commissioner Hunthausen stated he was not in attendance for the July 23rd meeting, but he did listen to the meeting, read the staff report, met with Planning staff, and has a good understanding of what occurred at that time.

A motion was made by Commissioner McCormick to table the item to August 13, 2020 and seconded by Commissioner Hunthausen. The motion Passed on a 2-0 vote.


No public comment was received.

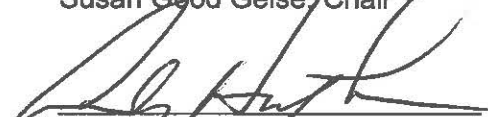
**Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.**


**Adjourn**

There being no further business, the meeting adjourned at 9:16 am.


LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Susan Good Geise, Chair

  
Andy Hunthausen, Vice Chair

  
Jim McCormick, Member

ATTEST:

  
Paulette DeHart, Clerk of the Board