



PUBLIC MEETING

July 30, 2015
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, July 30, 2015, at 9:00 AM in Commission Chambers Room 330.

Roll Call

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

Commissioner Susan Good Geise and Commissioner Mike Murray were present. Others attending all or a portion of the meeting included Eric Bryson, Marni Bentley, Fred Rice, Jeanne Underhill, Melanie Reynolds, Matt Heimel, Kevin Hamilton, Paulette DeHart, Kathy Skinner, Audrey Dufrechou, Undersheriff Dave Rau, Jess Whitford, Eric Griffin, Kathy Moore, Captain Jason Grimmis, Scott Cromwell, Marshall Gingery, Al Knauber, Dennis Carlson, Matt Witkos, Gina Newby, Harold Smith, Matthew Pfaff, Clark Kelly, Michael Cumbie, Brandi Steward, Coleman LaFazie, Levi Brinegar, Jackie Furlong, Thomas DeTriquet, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Announcement

a. Employee Recognition. (Paulette DeHart)

Paulette DeHart, County Treasurer/Clerk & Recorder, presented Kathy Skinner of the Elections Department as today is her last day of service for Lewis & Clark County. Paulette DeHart thanked Kathy Skinner for her years of service.

Consent Action Items

a. Vendor Claims Report for week ending July 31, 2015. (Marni Bentley)

Eric Bryson reported on the consent action item 2a and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Murray and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

Collective Bargaining Agreement between Lewis & Clark County and Lewis & Clark County Road and Bridge Employees' Association. (Fred Rice)

Fred Rice, Human Resource Director, presented the collective bargaining agreement between Lewis & Clark County and Lewis & Clark County Road and Bridge Employees' Association and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

Resolution 2015-106 To Establish a New Fee Rate for the Water Quality Protection District in Lewis & Clark County. (Jim Wilbur)

Kathy Moore, Environmental Division Administrator, presented the resolution to establish a new fee rate for the Water Quality Protection District (WQPD) in Lewis & Clark County. The increase is by ten percent to provide for the cost increase in personnel costs. The fees are based upon water usage in gallons per day. The impact to County residents is approximately 85 cents a year.

No public comment was received.

A motion to Approve was made by Commissioner Murray and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

Professional Services Agreement Between Lewis & Clark Public Health and Missoula County. (Jeanne Underhill)

Jeanne Underhill, Lewis & Clark Public Health Nurse, presented the agreement between Lewis & Clark Public Health and Missoula County for case management assistance in the amount of \$8,000. The goal of the program is to reduce the transmission rate of the virus and ensure people are receiving the proper care. There are 21 currently being served in this program with 14 people from Lewis & Clark County. The agreement begins April 1, 2015 to March 31, 2016.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

Resolution 2015-105 To Create the North Star Rural Improvement District No. 2015-6. (Matt Heimel)

Matt Heimel, Special Districts Planner, presented the resolution to create the North Star Rural Improvement District No. 2015-6. The resolution of intention to create the district was adopted on June 25, 2015 as Resolution 2015-86. Four letters of protest have been received. All owners of property within the proposed district have waived the right to protest the creation of a RID. There is insufficient protest to bar further proceedings on the district. Maintenance activities include, but are not limited to: snow plowing, culvert cleaning, street sweeping, crack seal, contributions toward a future chip seal. The estimated cost for said maintenance is \$45,108.56 per year. Each lot shall benefit equally and shall be assessed a flat fee of approximately \$159.39 per parcel per year. All maintenance funds collected for the district will be spent solely on road maintenance within the proposed district.

PUBLIC COMMENT-

Brandi Steward, 1123 Polaris, stated that the residents pay Home Owner Association dues and those fees are supposed to go towards maintenance of the road. Ms. Stewart stated she is in protest of the resolution.

Jackie Furlong, 1108 Polaris, stated that the account balance for the HOA is over \$60,000 and should be used towards road maintenance. Ms. Furlong asked about the scope of work and if the development would pay for the undeveloped lots and noted that she did not receive the notice. Ms. Furlong stated she is in protest of the resolution.

Harold Smith, 1146 Antares, asked if the County can have the developer chipseal the roads as it is his believe the developer should be responsible through their initial subdivision approval.

Gina Newby, 1130 Antares, stated her questions are the same as Mr. Smith's.

Commissioner Hunthausen stated that the public comment period is now closed.

Eric Bryson stated the County has no say in what the Home Owner's Association scope of work states. An RID would be a better mechanism for road maintenance and defining the scope of work to be performed. The resolution does allocate cost per lot or parcel. If the developer owns an undeveloped lot they will also pay the fee. It was noted that this RID addresses maintenance chipseal to extend the life of the asphalt.

Matt Heimel stated that he has received calls from residents that did not receive letters however those who stated they did not receive a letter were on the list for those who were sent a letter and no letters were returned to the County.

Eric Bryson encouraged all residents to be active in the Home Owner's Association to ensure the Home Owner's Association and the RID are not charging for the same service. The County Public Works staff works with the residents or a representative of the residents such as the Home Owner's Association and does a call for service as required. The County would act as the representative to subcontract for services needed but is done only when requested.

Commissioner Murray asked what the latest date to have the this item on the tax roles.

Paulette DeHart stated the that no later than the middle of August to ensure the calculations are done in time.

Harold Smith asked for clarification on the approval of the Subdivision.

Eric Bryson stated that the developers have a financial guarantee for work to be completed. It is his understanding that chipseals are a part of the plan.

Gina Newby asked when the developers were granted approval initially was chipseal apart of that.

Eric Bryson stated it is unclear on whether or not the developer had chipseal as a requirement for each phase that had been previously approved.

A motion to table the item until the regularly scheduled meeting on August 6, 2015 was made by Commissioner Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

Acceptance of the Preliminary Architectural Report for the Public Safety Facility. (Eric Bryson)

Scott Cromwell, Slate Architecture, presented the preliminary architecture report for the Public Safety Facility. The current facility which was built in 1984 and the original plan for the detention facility had 43 beds with 58 for the peaking factor. The NIC report in 2011 stated that a new facility is required, to evaluate alternatives to incarceration and to create the CJCC. The Jail Working Group was to lead selection of a contractor to look at historical data and see what the trend is currently and what it will look like going forward. The currently facility increased the bed capacity to 70 by adding bunks to the cells. The average daily population is above 80 inmates. The detention facility has long surpassed its functional capacity of 58 (now 70) as it was designed 30 years ago. In 2012 the CJCC was created as a permanent and continual council that advises the BoCC. The CJCC represents the entire criminal justice community. The CAC was established by the CJCC which is the public arm of the council and makes recommendations to the CJCC through citizen input. The CAC provided a final report on April 22, 2015 which included system improvements and programming recommendations. In 2014 the PAR work began and required the evaluation of the current facility/site, alternative sites, preliminary design and a comprehensive analysis of the current programs. Multiple workshops have been held during this process with local law enforcement, officials and the public. In 2015 there was a partnership with ACLU for a subsequent system analysis and their recommendation included pretrial diversion. Site selection included the existing site, additional sites including those submitted by the public, four sites were narrowed down for further review and from there three site were evaluated against weighted criteria which included a minimum of 15 acres and the site must be able to connect to City services. This lead to one final site located north of Custer Ave. The accessibility of the site includes Highway 12, the interstate and assists in cutting down on response time. A site plan was presented to reflect the proposed layout of the facility on a 33 acre lot and uses nearly 50 percent of that lot. The proposed facility is a 108,680 square foot layout which includes the outdoor yards. The facility floor plan was discussed in detail. An overview was

given during a booking event through the facility. The medical and mental health layouts were presented in detail. The detention area layout includes two separate areas, direct and indirect. The direct pods have the capacity for 40 males and 36 females. The indirect pods have the capacity of 144 male and 24 females. There is an opportunity for 11 classifications through the swing pods which allows for flexibility and safety of staff and the inmates themselves. Every cell has a bunk, shower, desk space and is ADA accessible. The layout includes program spaces for classes, a computer lab, a library and meeting space. There are indoor spaces for recreation and outdoor exercise yards. Those facility additions are in accordance with ACLU standards. The facility layout reflects a 244 bed facility however on opening day the operational capacity is 208 beds. An overview of the Sheriff's Office Administration was given which includes offices for the Sheriff, Patrol, Roll Call/Briefing, Detention and Detectives. There is space for attorney/client visiting rooms, public visitation space, video conference court rooms as well as the opportunity for an onsite judge. The layout includes records, evidence, a training room, laundry facilities and a kitchen area which provides for onsite meal preparation. There is a stand alone building that will be used for evidence storage and includes an impound lot. The building was designed to match the topography of the area and includes regional materials. The building design has skylights to optimize the use of the sun and decrease the usage of energy throughout the day to light the facility.

Break/Reconvene.

Scott Cromwell continued with the presentation and stated the project cost is \$40,945,389. The total building cost is \$27,995,000. The inflation rate is calculated at 15% at \$5,340,703. Land acquisition is not included in this cost. The law enforcement center renovation plan was presented as an option for consideration. The current second level floor would be renovated to include two courtrooms, open office areas and support spaces for deliberation or conference room needs. The renovation is estimated at \$3,513,400. The inflation rate is calculated at 15% at \$404,878.

Eric Bryson stated that a study has been done for needs in the existing courthouse. As the criminal justice needs continue to expand and the County continues to grow the law enforcement center is a building that gives us the flexibility to meet our needs in the future. It is expected that the Helena Police Department will take over use of the first floor and pay rent accordingly. The tenant on the second floor would also be responsible for rent.

Scott Cromwell presented the projected operating expenses for the facility. Total cost of operations is listed at \$5,281,802.

Commissioner Geise asked about the outside boarding costs that the Sheriff's office incurred in the last six years.

Eric Bryson stated that a soft cap was put on the detention facility at 70 for the safety of the staff and inmates. That increase is due to our inmates being housed in other facilities above our hold limit. That cost only covers boarding, not medical, transport or other needs.

Dave Rau, Undersheriff, stated that the current facility cannot currently hold misdemeanor offenders due to the current capacity.

Jason Grimmis, Captain of the Detention Facility, stated that County jails around the state are experiencing the same trends.

Commissioner Hunthausen addressed the needs for a new facility and stated the criminal justice system needs to be revised to address the needs of the staff and the inmates. He reviewed the CAC recommendations and stated the importance of incorporating the recommendations into the plan going forward.

Commissioner Murray stated our current facility is inadequate and we need to continue our diversion efforts going forward.

Commissioner Geise stated that the PAR includes cameras in cell which would provide extra security for staff and inmates.

Commissioner Hunthausen stated that the coordinator position included in the PAR is a crucial position.

Dave Rau stated that the position is important for the diversion programs as well as the after care programs. A thank you was given to the CAC, CJCC for their time and input.

Jason Grimmis stated that today's inmate count is 133. The staff has done a great job with the resources available. The programs currently in place are providing success and are effective and he fully supports the programming outlined in the PAR.

Eric Bryson asked the Commission to make a motion to accept the PAR. Your next action item will be to call for an election which is on November 3, 2015.

No public comment was received.

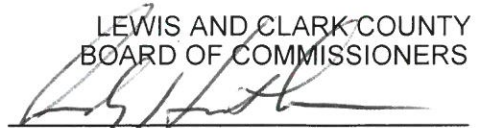
A motion to Approve was made by Commissioner Murray and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

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

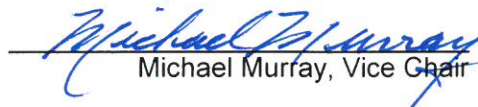
Adjourn

There being no further business, the meeting adjourned at 12:03 pm.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS




Andy Hunthausen, Chairman



Michael Murray, Vice Chair

Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board