



PUBLIC MEETING

August 20, 2019
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 20, 2019, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Chairman Jim McCormick called the meeting to order at 9 a.m.

Commissioner Susan Good Geise and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Pam Attardo, Roger Baltz, Misty Edwards, Nicho Hash, Peter Italiano, Dan Karlin, Reese Martin, Debra Crider, John Palmquist, Kathy Moore, Kevin Wright, Chris Evans, Conrad Evarts and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2019-76 Declaring County Property Surplus Property. (Amy Reeves)
- b. Resolution 2019-77 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 Good Geise and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Grant Application with Montana Disaster Emergency Services for the DR-4388 Hazard Mitigation Grant Program for Advance Assistance. (Reese Martin)

Reese Martin, Disaster & Emergency Services Coordinator, presented the advance assistance grant application. The grant is attached to this year and last year's flood grants. The grant is in the amount of \$75,150 total. The purpose of the funds is to conduct a hydrological and hydraulic study of approximately 3 miles span of Elk Creek around the Augusta area. The funding match is 25 percent. The Conservation District has agreed to the contribution of \$7,000 in cash towards the match and the remainder will be met by the County via cash, in-kind and other means. Staff recommends approval.

Chris Evans, Conservation District, explained the grant the Conservation District is involved with.

Mr. Martin stated FEMA just released the 2019 flood mitigation plan and noted for every dollar spent on mitigation \$6 is saved during an emergency or a disaster.

Dan Karlin, County Engineer, gave a general overview of the digital map model and the existing conditions model. This allows them to see the existing and post construction scenario. This has been done with the Ten Mile Creek and the intent is to do it on Elk Creek.

No public comment was received.

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

Change Order No. 2 to the Contract Between Lewis and Clark County and Bullock Contracting, LLC. (Dan Karlin)

Dan Karlin, County Engineer, presented the change order to the contract with Bullock Contracting, LLC on the Lake Helena Drive and Lewis Street Intersection Improvement Project for changes in scope with an increase in contract price of \$14,579.66. The project was designed to fit within the right-of-way and maximized design limits. In the vicinity of the actual intersection the ditch slopes as constructed would be steeper than preferred and present a safety concern that was chosen to be addressed. A discussion with everyone involved resulted in a resolution of adding 200 feet of 36 inch diameter pipe with trash racks in order to eliminate the section of ditch with slopes steeper than what is allowed by County Standards. The change also eliminated the need to remove and reset the adjacent landowner's fence. The total result is less impact to adjacent landowner property and a safer roadside section. The document presented last week mistakenly deleted all of the remove and reset the fence bid item and as a result the actual change order leaves in most of the remove and reset bid item resulting in a higher cost to this change order. The Change Order No. 2 is for \$20,279.66.

If Change Order No. 2 is approved it will bring the total contract with Bullock Contracting, LLC to \$266,970.66 and remains within the project budget. Staff recommends approval of the Change Order No. 2 to the contract with Bullock Contracting, LLC.

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.

Bid Award. Forestvale Cemetery Maintenance Building Addition Project. (Tabled 8-13-19) (Misty Edwards)

Misty Edwards, Finance Coordinator, presented the bid award that was tabled on August 13, 2019. On August 6, 2019 one bid was received from Golden Eagle Construction in the amount of \$360,220. The selection committee has met with the architect and contractor to address the concerns regarding the bid amount.

Commissioner Good Geise stressed her concern on the high cost of the bid and to possibly not accept this bid, but to ask for another bid process in the winter time to get more responses for the bid and a reasonable bid offer.

Ms. Edwards noted Forestvale has been saving in their CIP for a number of years for this project.

Commissioner Hunthausen asked would the dollar amount change in the winter and suggested to postpone the bid and speak with an expert in the field to see if it would be advantageous to postpone.

Jock Palmquist, Forestvale Cemetery Board Chair, stated they could wait and bid it out in the spring, but material and labor cost is unknown. He added they are bare bones with the square footage. It is a

small project and contractors like the larger projects. Commissioner Hunthausen asked what the estimated architect bid was and Mr. Palmquist reported \$320,000. He added the Board would like to award the bid and get the construction underway.

Debra Crider, Forestvale Cemetery Manager, stated the first time it was bid out everyone agreed it was way too high. The second bid incurred additional cost but did not lower the bid. Ms. Crider does not think anything would be saved if this bid is not accepted and is in favor of awarding this bid noting they do have the funds.

Commissioner Hunthausen asked if the exact same package was put out again would we get different numbers.

Commissioner Good Geise stated she spoke to a local contractor and gave him the dollar amount and the square footage of the proposed building and the contractor was shocked. She stated she understands Forestvale has saved for this project, but it is the Commission's responsibility to levy taxes on the tax payers.

A motion was made by Commissioner Hunthausen to postpone action until August 29, 2019 and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

Resolution 2019-75 to Create an Administrative Board for the Lincoln Cemetery District. (Pam Attardo)

Peter Italiano, Community Development and Planning, stated Ms. Attardo had to leave and he presented the Resolution to Create a Board of Trustees for the Lincoln Cemetery District. There will be five members of the Lincoln community to be voting members and one non-officio member of the board. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner Good Geise and seconded by Commissioner Hunthausen. 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.

Conrad Evarts, local business owner, asked if the Commission received his email regarding the continuing struggles with the lack of enforcement of the community decay ordinance in his area and it was confirmed that they had. Mr. Evarts read the email that he sent to the Commission to have it entered into the record and gave the link to a video he would like to share.

Mr. Evarts stated he would suggest to repeal the community decay ordinance and septic licensing because the lack of enforcement on these laws is creating an incubator for criminality. His neighbors have assaulted Mr. Evarts with vehicles; trespassed on property with vehicle doing damage; and has stolen from him and other neighbors as well as the county. Mr. Evarts feels that Lewis and Clark County Sheriff has made it clear they are not going to do anything about it.

Mr. Evarts stated he was told by Jay Plant that the case has been with the County Attorney's Office for all of three months.

Nicho Hash, Deputy County Attorney, stated the community decay ordinance for the specific location has been in their office since the end of July and it is ready to go. Mr. Hash noted the community decay ordinance has abatement plans and explained the process. Mr. Hash informed Mr. Evarts that he has the email has seen the video.

Adjourn

There being no further business, the meeting adjourned at 10:05 am.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Jim McCormick, Chair



Susan Good Geise, Vice Chair



Andy Hunthausen, Member

ATTEST:



Paulette DeHart, Clerk of the Board