



## **PUBLIC MEETING**

August 4, 2015  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 4, 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, Nancy Everson, Sheriff Leo Dutton, Undersheriff Dave Rau, Captain Jason Grimmis, Art Pembroke, Al Knauber, Patti Jacques, Ben Stonukn and Nichole Nisbet, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Public Meeting Minutes: July 9, 14, 16, 21 and July 23, 2015. (Nichole Nisbet)
- b. Resolution 2015-107 Declaring County Property Surplus Property. (Amy Reeves)
- c. Resolution 2015-108 Declaring County Property Surplus Property. (Amy Reeves)

Eric Bryson reported on the consent action items 2a-c 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.

### **Call For Election on November 3, 2015. (Nancy Everson)**

Nancy Everson, Finance Director, presented the call for election on November 3, 2015. There are two resolutions before the Commission today. The first resolution is for issuing a general obligation bond in the amount of \$40,945,389 for the designing, constructing, equipping, furnishing and funding of the new public safety facility. This is to be financed for 20 years. This also calls for a mail ballot election on November 3, 2015. The County estimates the tax increase for a \$100,000 home at \$33.36 annually for 20 years and for a home valued at \$200,000 at \$66.92 annually for 20 years. The County will not issue the bonds if the voters do not approve the companion mill levy. The other resolution is calling for a mail ballot election to establish a permanent levy for maintenance and operating costs for the County's proposed new detention center and public safety facility in the amount of \$5,281,802. The levy is subject to the provisions of MCA 15-10-420 that allows for inflation and new growth. The County estimates the tax increase for a \$100,000 home at \$59.04 and for a home valued at \$200,000 at \$118.07. Both votes have to pass in order to go forward with the public safety facility.

Commissioner Murray asked Ms. Everson why both votes have to pass since we are voting separately on each one.

Nancy Everson stated that the County cannot build a facility and not have the funds to operate it.

Eric Bryson stated that the operating levy requires a significant number of new staff in order to operate the new facility. It includes all the costs such as inmate clothing, staff needed to operate the facility, medical costs and programming. They are linked so we can build a new facility and operate it. It was noted that staff would not be added until they reached a threshold that warrants those new positions.

Commissioner Geise clarified that the operating levy is a permanent levy. This will be added to the existing permanent levy for law enforcement. She also asked if the Preliminary Architecture Report (PAR) includes courthouse security.

Eric Bryson stated that is correct. Two new positions are included in the PAR for courthouse security.

Commissioner Hunthausen asked Mr. Bryson to go over the timeline.

Eric Bryson stated the existing facility was constructed in 1985 and was designed to hold 43 people. Today the inmate count is 92 with a total of 140 people in our custody. An evaluation was done on the current facility in terms of deficiency, operations, structurally and staff. It was noted that our Sheriff's Office and detention staff are outstanding. Modifications to the current facility include welding bunks to the walls to increase the bed count to 70. It does not increase the safety of our inmates and staff however as the facility was still built for a capacity of 43. The PAR done by Slate Architecture and GGA was submitted to the Commission last week and recommended a new site, a facility with 208 functioning beds and a criminal justice system that needs revamping. Part of the scope of work with the PAR included looking at the existing building and concluded that it was not practical to utilize the existing facility. However, re-purposing the building in the future will provide for growth with the Courts and Judges. Outreach and education opportunities will follow for public participation if the Commission approves the resolutions today. Outreach to areas such as Lincoln, Augusta, Wolf Creek, Craig, Rimini and York will be done through Government Day meetings and additional outreach.

Sheriff Leo Dutton stated the decision before you is the most important part of his career as there is a need for a public safety facility in this community. We are at a crisis point and the community needs a public safety facility to address the issues of high arrests, mental health issues and continuing working with the courts and the ACLU. In order to continue to operate with an average population of 90 inmates in the current facility it will require more costs to the County in order to staff the facility for the safety of the inmates and the staff itself.

Undersheriff Dave Rau stated that the frustration with the current facility is high among the staff due to the over population and conditions they face.

#### PUBLIC COMMENT-

Patti Jacques, 957 University, stated she is disappointed, in her opinion with the lack of public comment, education and outreach. She noted her disappointment with the ACLU's recommendation for pretrial diversion rather than the locking up practices. She also noted her disappointment with the bond language having two votes as she would support only the operating mill levy. She would recommend permanent housing for the mentally ill to be included in the cost. She asked what would happen to the land the County purchased if this bond does not pass. She expressed disappointment with the mail ballot election rather than having a polling place election.

Commissioner Hunthausen stated that the public comment is now closed.

Commissioner Geise stated the mail ballots that are not sent in are not counted as a yes vote.

Eric Bryson stated the call for mail ballot election will be on the same ballot with the City Commission election. He addressed the lack of public involvement as there has been multiple articles, public meetings, public presentations and even citizen groups made up of volunteers that are not part of the criminal justice system. He encouraged the public to become informed, educated and to participate in the election in November.

Commissioner Geise asked Mr. Bryson to address the land acquisition.

Eric Bryson stated that the County Commission decided not to include the price of land in the ballot, if we are not successful in November we will go back to the drawing board and engage in a new process and will likely include that land to accommodate the future needs. The County purchased that land in order to plan more effectively for future needs.

Commissioner Geise stated that members of the public have asked about specific sites in the area and why they were not used, she asked Mr. Bryson to address that topic.

Eric Bryson stated the Associated Foods building, the mall and various vacant land sites were considered and were part of the evaluation done in the PAR and did not rank high enough for the final site selection due to various criteria.

Commissioner Hunthausen stated that the County is currently working with the Center for Mental Health to look for permanent mental health housing.

A motion to approve the call for election and adoption of the two resolutions as presented by staff was made by Commissioner Geise and seconded by Commissioner Murray. The motion Passed on a 3-0 vote.

**Independent Contract Agreement Between Lewis & Clark County and Montana Internet Corporation. (Art Pembroke)**

Art Pembroke, IT&S Director, presented the agreement between Lewis & Clark County and Montana Internet Corporation for emergency and maintenance services for our wide area wireless network in an amount not to exceed \$10,000.

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.

**Independent Contractor Agreement Between Lewis & Clark County and CompuNet, Inc. (Art Pembroke)**

Art Pembroke, IT&S Director, the agreement between Lewis & Clark County and CompuNet, Inc. to provide maintenance and emergency systems support for the enterprise telephone and alert systems managed by IT&S in an amount not to exceed \$15,000.

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.

**Independent Contractor Agreement Between Lewis & Clark County and Weisberg Consulting, Inc. (Art Pembroke)**

Art Pembroke, IT&S Director, presented the agreement between Lewis & Clark County and Weisberg Consulting, Inc. to provide active directory and identity manager services as needed for maintenance and emergency services in an amount not to exceed \$5,000.

No public comment was received.

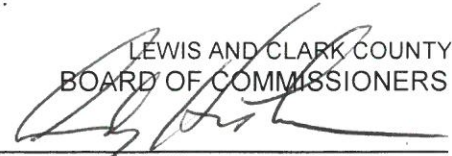
A motion to Approve was made by Commissioner Murray and seconded by Commissioner Good Geise. The motion Passed on a 3-0 vote.

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

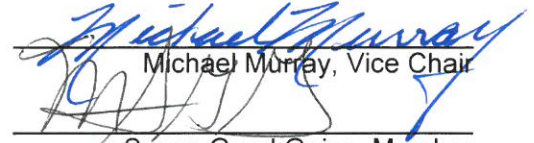
**Adjourn**

There being no further business, the meeting adjourned at 10:25 am.

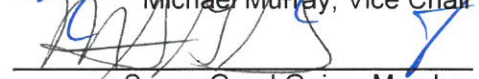
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

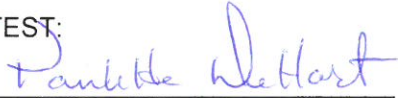


Michael Murray, Vice Chair



Susan Good Geise, Member

ATTEST:



Paulette DeHart, Clerk of the Board