



PUBLIC MEETING

August 4, 2016
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, August 4, 2016, at 9:00 AM in Commission Chambers Room 330.

Roll Call

Commissioner Susan Good Geise called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Mike Murray was excused. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Kevin Hamilton, Laura Erikson, Matt Heimel, Andy Galen, Yidong Li, Mike Delzer, Al Knauber, Ron Nelson, Chris Ralph, and Nichole Nisbet, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Contract Amendment Number Two to Contract Number 14-331-74087-0 Between Lewis and Clark County and Montana Department of Public Health and Human Services. (Laura Erikson)

Laura Erikson, Community Development Coordinator, presented the contract amendment with the Montana Department of Public Health and Human Services, Addictive and Mental Disorders Division. The amendment adds \$60,000 to the original contract for FY17 Our Place Drop In Center operations. The additional funds will cover personnel costs, training, supplies and assist in rent expenses. The contract amendment period is from July 1, 2016 through June 30, 2017.

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 2-0 vote.

Resolution 2016-65 Levying and Assessing a Tax Upon Benefited Property Within The Canyon Ridge Rural Improvement District No. 2015-11 (Matt Heimel)

Matt Heimel, Special Districts Planner, presented the resolution levying and assessing an assessment upon benefited properties within the Canyon Ridge Rural Improvement District. An assessment for road maintenance per benefited property will be in the amount of \$573.16 annually. Staff has recommended

to table the resolution until after August 23, 2016 to include costs of phase II which would reduce the assessment to \$500.36 per benefited property annually.

Michele Peterson-Cook, Deputy County Attorney, stated that when an RID is created all benefited lots are included. When the resolution was advertised, Phase II was not yet created. Since the resolution before the Commission does not currently include Phase II, legal is advising staff to amend the resolution to include phase II and all of the benefited properties.

No public comment was received.

A motion was made by Commissioner Hunthausen to table the item until August 23, 2016. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0 vote.

Resolution 2016-66 Levying and Assessing a Tax Upon Benefited Property Within The South Forestvale Rural Improvement District No. 2015-7. (Matt Heibel)

Matt Heibel, Special Districts Planner, presented the resolution levying and assessing an assessment upon benefited properties within the South Forestvale Rural Improvement District. An assessment for road maintenance per benefited property will be in the amount of \$138.79 annually.

PUBLIC COMMENT-

Andy Galen, homeowner, stated he believes the average daily traffic count is higher than it should be due to the actual number of residences in the area. He noted that the subdivision north of the him uses the road as a through street and should be included in the RID as a benefited property.

Yidong Li, homeowner, reiterated Mr. Galen's comments and stated his concern for the heavy traffic in the area as well as the rate of speed of vehicles.

A motion was made by Commissioner Hunthausen to table the item until August 11, 2016 at the regularly scheduled meeting. The motion was seconded by Commissioner Geise. The motion Passed on a 2-0 vote.

Resolution 2016-67 Levying and Assessing a Tax Upon Benefited Property Within the Fox Trot Rural Improvement District No. 2015-1. (Matt Heibel)

Matt Heibel, Special Districts Planner, presented the resolution levying and assessing an assessment upon benefited properties within the Fox Trot Rural Improvement District. An assessment for road maintenance per benefited property will be in the amount of \$399.97 annually. Two letters have been received with a total of nine properties requesting to be removed from the RID.

Commissioner Hunthausen asked if the subdivision has been final platted if the lots are all residential

are with the tax assessment as he owns a vacant lot in the area and requested the Commission to agree on the assessment amount and requested the Commission to

how the assessment amount was determined.

Ron Nelson, homeowner, stated his displeasure with the assessment amount in the area and his taxes would double. He does not want the assessment amount to be reduced.

Commissioner Hunthausen asked Mr. Heibel

Matt Heibel stated the costs were prepared by an engineer hired by the developer. He noted that County Public Works reviews the cost estimates to determine if the costs are appropriate.

Commissioner Hunthausen reviewed the assessment with Mr. Nelson and noted that work includes: gravel road repair, weed control, mowing, signage, culvert cleaning, snow plowing and other miscellaneous work.

Chris Ralph, resident, asked for additional information about the RID.

Matt Heibel stated the County administers the funds, collects the assessments through resident's tax bill. He noted that County Public Works is responsible for reviewing work needed, ensuring the work is completed and works with homeowners and HOA as needed. Homeowners can request work and review funds at any time. It was noted that vacant lots are considered benefited properties in this case and are part of the assessment.

Commissioner Hunthausen noted that funds can only be spent on the maintenance identified in the resolution and funds are held in an account with the County specific to those needs. He further noted that the assessment can be revised once per year.

Ron Nelson asked if the homeowners can obtain reports on how the funds are being spent. He also asked if funds are not spent if the assessment will be lowered.

Matt Heibel stated at anytime a cash flow spreadsheet can be provided and that the assessment can be reviewed once a year as necessary.

Kevin Hamilton stated the funds are carried over from year to year to provide funding for maintenance items that are not annually done such as chipseal.

Chris Ralph asked why the HOA is not responsible for administering the work. She asked if the County would work on a holiday for snow removal as an example. She also asked what the response rate would be for service.

Commissioner Geise stated the County administers RID's as HOA's can be uneven in terms of administering all needs addressed by the RID. The County is constant and has contracts with contractors who are responsible for the work being done. She noted that a contractor may be responsible for snow plowing and would work on a holiday as needed.

Matt Heibel stated the resolution specifies what maintenance is to be done and Public Works determines if that work is needed and will facilitate the request.

Eric Bryson stated the County likes to work with HOA's and noted that this is a tax and the County does control the funds. He further noted that the County enters into a contract with the expectation that the work will be completed by a contractor as requested.

Commissioner Hunthausen noted the County is responsible for roads all over the County and more than likely a contractor will be responsible for internal subdivisions.

K. Paul Stahl, Deputy County Attorney, stated the County has an obligation to ensure that roads meet certain standards and noted that being the reasoning on why the County controls the roads in order to build and maintain the structure necessary to meet those standards.

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

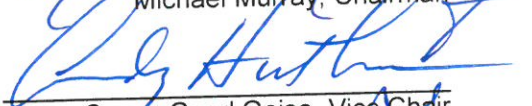
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above.

Adjourn

There being no further business, the meeting adjourned at 9:52 am.

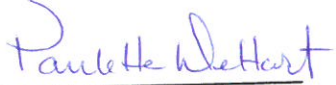
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman


Susan Good Geise, Vice Chair


Andy Hunthausen, Member

ATTEST:


Paulette DeHart, Clerk of the Board