



PUBLIC MEETING

August 4, 2022
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, August 4, 2022, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

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

Commissioner Tom Rolfe was present. Commissioner Hunthausen was absent. Others attending all or a portion of the meeting included Roger Baltz, Charles Lane, Greg McNally, Lindsay Morgan, Laurel Riek, Jenny Chambers, Phil Gonzalez, Kevin Horne, Dan Karlin, Marni Bentley, John Casenza, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending August 5, 2022. (Marni Bentley)

Roger Baltz, Chief Administrative Officer, reported on consent action item 2a and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Task Order 23-07-7-11-120-0 Between Lewis and Clark County and the Montana Department of Public Health and Human Services. (Laurel Riek)

Laurel Riek, Division Administrator for Disease Control and Prevention, presented the task order with Montana Department of Public Health and Human Services (DPHHS) in the amount of \$45,906 to support Congregate Living Coordinator, Disease Intervention Specialists, Sanitarians and Epidemiologist positions to respond to COVID-19 and other communicable diseases. The task order is effective from July 1, 2022 through December 31, 2022. The liaison for the contractor will be Brett Lloyd, Public Health, with the liaison for the Department being Magdalena Scott, DPHHS. Staff recommends approval.

The Epidemiologist position is new at Public Health. They take information from investigations and compile it to make recommendations on future issues.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Bid Opening. 2022 Augusta Magnesium Chloride Application. (Jenny Chambers)

Jenny Chambers, Public Works Director, requested to rescind the bids for the 2022 Augusta Magnesium Chloride Application. Two bids were received. Previously graded roads needed regraded after the wet conditions experienced in Spring and early Summer. The time frame for laying gravel and preparing roads for the magnesium chloride is too late in the year. It would need to be applied before October and it is not a realistic time frame. Sun Canyon Road is in decent condition, and it will not cause any safety issues if the magnesium chloride is not applied this year. Staff is recommending the Commission rescind the bids and mail back the sealed envelopes to companies that submitted them.

Kevin Horne, Road and Bridge Manager, gave an overview of Sun Canyon Road condition. There was a Federal Lands Access Program (FLAP) grant that was awarded for a completed project consisting of installing 27,000 tons of gravel, 6 inches thick for 6 miles with an application of magnesium chloride. Maintenance became the County's responsibility after the work was done. The magnesium chloride application not only controls dust but preserves the road. Roads lose an inch of gravel per year with grading being done three to four times a year. Gravel had to be brought back up due to rain washing gravel from the road. Sun Canyon Road is safe for travel and will be graded one more time before winter.

No public comment was received.

Commissioner Rolfe made a motion to rescind the bid and return unopened to the bidder and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Resolution 2022-57 Requesting Distribution of Local Government Road Construction and Maintenance Match Program Funds. (Jenny Chambers)

Jenny Chambers, Public Works Director, read Resolution 2022-57, Requesting Distribution of Local Government Road Construction and Maintenance Match Program Funds. The Bridge and Road Safety and Accountability Act (BARSAA) was passed by the legislature in 2017 for motor fuel tax with a graduated increase to start in 2018. The increase will max out at six cents in fiscal year (FY) 2023.

Funds from BARSAA may be used for road and bridge maintenance and can also be used to match federal funds received for the construction of federal roads, streets and highways that the County is responsible for maintaining. Local governments are required to apply to the Montana Department of Transportation (MDT) showing the 5% matched budget to receive funds. Public Works budgeted for the 2022 BARSAA allocation, along with the 5% match in the FY 2023 Road Infrastructure Budget. It specifically was budgeted for the Valley Drive Improvement Project.

This resolution is to move forward in requesting BARSAA funds of \$338,609 with the County matching \$16,930.45 from Mill Levy funds and authorizing staff to submit the request to the MDT. Staff recommends approval.

Dan Karlin, County Engineer, reported on the Valley Drive Project. There were two options, one was transitioning from a 3-lane road to a 2-lane road and transitioning back to three lanes after the canal bridge as traffic goes toward Canyon Ferry Road. The second option is widening the existing bridge which will be more costly. A future project will add pedestrian accommodations. Valley Drive will continue to be improved over time. There are two new schools and a new housing development that has changed the traffic on Valley Drive by about 4,000 vehicles.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Zoning Variance Request for 1035 Mortise Loop. (Applicant: John Cosenza) (Planner: Phil Gonzalez)

Phil Gonzalez, Planner I, presented a zoning variance request for 1035 Mortise Loop, to allow for an 8-foot tall fence, which exceeds the maximum 6-foot rear yard fence height requirement. Since the applicant purchased the lot, the neighboring lot had fill added during construction of the house, which was not existing at the time of purchase. The Planning and Zoning Commission held a public hearing on this requested variance on July 27, 2022, and no public comment was received. The Planning and Zoning Commission voted 6-0 to approve this variance. Staff recommend approval.

Chair McCormick requested the review of criteria when considering a variance for public record. Mr. Gonzalez listed all criteria and described how the criteria was met.

There were 8 letters of support received from neighbors in adjacent properties.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

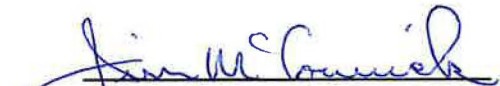
Commissioner Rolfe said he would like to see a more streamlined, easier process for variances that are uncontroversial and unopposed.

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 9:47 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair


Tom Rolfe, Vice Chair


Andy Hunthausen, Member

ATTEST:


Amy Reeves, Clerk of the Board