



PUBLIC MEETING

August 6, 2019
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 6, 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 was present. Commissioner Andy Hunthausen was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Paulette DeHart, Misty Edwards, Nancy Everson, Nicho Hash, Jacqueline Isaly, Spence Starke, Lindsay Morgan, Debra Crider, John Palmquist, Jr, Kevin Buntin, Greg Wirth, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Request for Records Disposal from the Treasurer/Clerk and Recorder's Office. (Paulette DeHart)
- b. Request for Records Disposal from the County Attorney's Office. (Paulette DeHart)
- c. Intercap Certificate of Appropriation. (Nancy Everson)

Roger Baltz reported on the consent action items 2 a-c and recommended approval.

Paulette Dehart, Treasurer/Clerk and Recorder, briefly explained records retention schedules for different departments and the process for disposal of records.

No public comment was received.

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

Bid Opening. Forestvale Cemetery Maintenance Building Addition Project. (Misty Edwards)

Misty Edwards, Finance Coordinator, presented the bid opening. One bid was received. The bid is from Golden Eagle Construction of Helena for a total base bid amount of \$360,220.

No public comment was received.

A motion was made by Commissioner Good Geise for staff to take the bid under advisement and make a recommendation to the Commission on August 13, 2019. The motion was seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Grant Award to Lewis and Clark Public Health from the Substance Abuse and Mental Health Services Administration. (Jacqueline Isaly)

Jacqueline Isaly, Community Public Health Promotion Division Administrator, presented the grant award from the Substance Abuse and Mental Health Services Administration in the amount of \$125,000 to be used toward the salary of a Suicide Prevention Coordinator and suicide prevention activities. The funds are intended to address the public health crisis of suicide, of which Montana is ranked number one in the nation for suicide with suicide being the eighth leading cause of death in Montana. In 2018 twenty deaths by suicide occurred in Lewis and Clark County. Ms. Isaly reported this is the second year of a three year funding cycle for the grant and since the initial funding 750 individuals in Lewis and Clark County have been trained in various trainings such as suicide prevention and mental health awareness. Through the trainings and education the intention is to reach 4,000 people annually. The grant period is September 30, 2019 through September 29, 2020. Staff recommends approval of the grant award from the Substance Abuse and Mental Health Services Administration.

Commissioner Good Geise asked about what is being done to assist first responders when dealing with the aftermath of suicides and Ms. Isaly noted trainings have been facilitated for first responders and firefighters to give them skills for those calls. She noted there are some support groups available, but there is room for improvement in that area.

No public comment was received.

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

Task Order 20-07-5-21-084-0 Between Lewis & Clark Public Health and the Montana Department of Public Health and Human Services. (Jacqueline Isaly)

Jacqueline Isaly, Community Public Health Promotion Division Administrator, presented the task order with the Montana Department of Public Health and Human Services for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program in the amount of \$849.17 for administration costs. The program allows WIC participants to receive \$30 in vouchers to purchase fresh produce at the Farmer's Market. The state sends enough vouchers to serve about 400 families. Last year 83% of the distributed vouchers were redeemed by participants equating to almost \$5,000 of fresh produce and putting Lewis and Clark County at number one in the state for redemption. The grant period is August 1, 2019 through June 30, 2020. Staff recommends approval of the task order with the Montana Department of Public Health and Human Services.

No public comment was received.

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

Task Order 19-07-5-21-012-0 Amendment Between Lewis and Clark Public Health and the Department of Public Health and Human Services. (Jacqueline Isaly)

Jacqueline Isaly, Community Public Health Promotion Division Administrator, presented the task order amendment with the Department of Public Health and Human Services to administer the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in the amount of

\$6,000. The program provides nutrition education and food benefits to low income pregnant women and families with children ages zero to five. The contract amendments is a result of end of the year available federal funds that the state has and wants to distribute to the locals. This would increase the total contract amount to \$253,381.96. The task order began October 1, 2018 through September 30, 2019. Staff recommends approval of the task order amendment with the Montana Department of Public Health and Human Services.

Ms. Isaly gave an overview of upcoming changes to the WIC program that are intended to help participants stay on the program longer and will include an extended list of available foods in the WIC benefits. She also reported on the close work they are doing with Head Start through the CONNECT Referral System.

Commissioner Good Geise asked about the recertification process and Ms. Isaly explained the App called WIC Smart, the ability to use a computer at Public Health without having to meet with someone, allowing participants to come into the office one to two times annually rather than every three months. There are also potential conversations at the federal level regarding this.

No public comment was received.

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

Proposed Country Winds Subdivision SUBD2019-006. (Tabled 7-25-19) (Applicant: Watford City Investments LLP) (Planner: Spencer Starke)

Spencer Starke, Planner I, presented the first minor subdivision to be known as the Country Winds Subdivision located north of Lincoln Road and east of and adjacent to Applegate Drive. The subdivision was tabled by the Commission on July 25, 2019 and at that time a question on the maintenance of Applegate Drive arose. After discussion with Public Works, Applegate Drive is currently being maintained and plowed up to the bus turn around, a few hundred feet south of the proposed subdivision with no current plans to maintain the road further.

The subdivision contains four single-family residential lots, each approximately 25 acres, with individual wells and wastewater treatment systems. Each lot would have direct driveway access onto Applegate Drive with no internal roads proposed. There are drainage easements proposed for ephemeral drainages on the property that run north to south. Staff recommends conditional approval.

The draft findings of fact were discussed. Those findings include: the impacts on agriculture and agricultural water use facilities; impacts on local services; impacts on the natural environment; impacts on wildlife and wildlife habitat; impacts on public health and safety; findings on subdivision regulations; provision of adequate access; and findings in zoning and other regulations. The property is not currently used for agricultural purposes. The hydrogeologist indicated groundwater system shows a general trend of declining water levels and Commissioner Good Geise emphasized his recommendations of no wells to be down gradient from drainfields, wells to be as deep as practical, limited irrigated land, monthly well monitoring, and prior to final plat approval they must meet applicable regulations for wastewater treatment systems. The utilities are to abut each lot and any further utility installation is to be underground, unless otherwise determined by utility provider in accordance with County Subdivision Regulations. Utility easements will have to be provided prior to final plat and private covenants may require provision of additional utility easements. A traffic impact study showed an estimated 38 daily trips would be generated. There is adequate fire protection and Chief Shepherd of the West Valley Fire District had no concerns as long as "fire flow requirements" were met. A five-year weed plan is required. There is concern for the black-tailed prairie dog colony. Fish, Wildlife, and Parks recommended vegetation buffers, building envelopes,

native plant landscaping, bear proof storage and disposal of trash, and the incorporation of restrictions in the covenants to prohibit certain domestic animals. The proposed subdivision can be brought into compliance with all County Subdivision Regulations with conditions of approval.

Commissioner McCormick stated he would like all comments from July 25, 2019 meeting be forwarded to the record for this meeting's discussion.

Kevin Buntin, Applicant, stated he and his wife own the property and he noted it is stated in the covenants that the lots will not be allowed to be divided. Mr. Buntin noted he is aware of and agrees with the findings of fact.

No public comment was received.

A motion was made by Commissioner Good Geise that after reviewing the staff report and the presentations by staff and the applicant, and the draft findings of fact and conclusions of law and approval conditions, and after considering public comment at our meeting to approve the subdivision request subject to the conditions of approval, as noted in the Staff Report of July 19, 2019 needed to mitigate adverse impacts or bring the project into compliance with regulations. The motion was seconded by Commissioner McCormick.

A motion was made by Commissioner Good Geise that after reviewing the draft findings of fact on the impact criteria and subdivision regulations requirements and after considering public comment at our meeting to approve the findings as submitted. The motion was seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

A motion was made by Commissioner Good Geise that after approving the adopted findings of fact and after considering public comment at our meeting to adopt a conclusion of law that the proposed Subdivision will have adverse impacts on the review criteria and will not be in compliance with regulations. However, Commissioner Good Geise further moved to adopt a conclusion of law that adoption of the following conditions of approval that are attached as Exhibit A will mitigate the impacts and bring the project into compliance with the regulations. The motion was seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

The conditions of approval (COA) were discussed. Commissioner Good Geise focused on some of the conditions: COA #1 weed management; COA #2 the requirement to receive approval from the local Environmental Public Health Service for waste water treatment; COA #3 vegetation management plans; COA #4 Post Office approval of mailboxes; COA #5, 6, and 7 proportional share payments on access roads; COA #14 address assignments; COA #8 final plat to show all easements and restrictions; COA #9 covenants requirements; COA #10 completion or bonding of all public improvements; COA #13 DEQ review and approval of erosion control plans; COA #15 fire protection water supply; COA #16 review and approval of stormwater management plan.

A motion was made by Commissioner Good Geise that after reviewing the draft findings of fact on the impact criteria and subdivision regulations requirements and after considering public comment at our meeting to approve the conditions of approval as submitted. The motion was seconded by Commissioner McCormick. The motion Passed on a 2-0 vote.

Commissioner McCormick stated there is a motion on the table for the subdivision application as a whole, the findings of fact, conclusions of law and conditions of approval have been adopted. 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 9:54 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

