



## **PUBLIC MEETING**

September 1, 2022

### **MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, September 1, 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 and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Jenny Chambers, Lindsay Morgan, Connor Fitzpatrick, Jenny Chambers, Dan Karlin, Ann McCauley, Greg McNally, Marni Bentley, Nolan Lister, and Brandi Spangler, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Vendor Claims Report for Week Ending September 2, 2022. (Marni Bentley)
- b. Letter of Support for Florence Crittenton HOME Grant Application. (Ann McCauley)

Roger Baltz, Chief Administrative Officer, reported on the consent action items 2a-b and recommended approval.

No public comment was received.

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

### **Interlocal Agreement Between Lewis and Clark County and City of Helena. (Jenny Chambers)**

Jenny Chambers, Public Works Director, presented an interlocal agreement with the City of Helena for the Integrated Solid Waste Master Plan. This agreement will provide terms and conditions for the County to reimburse the City of Helena for engineering services to Great West Engineering Inc. related to preparation of the Master Plan. The County's portion of the cost is \$129,500. Funding comes from the Scratch Gravel Solid Waste District capital improvement budget. For fiscal year 2023, the amount of the County's portion cannot exceed the budgeted amount of \$97,500 and the remaining amount will be budgeted for in fiscal year 2024. Staff recommends approval of the interlocal agreement with the City of Helena.

Commissioner Hunthausen asked for more detail on accomplishments desired. Ms. Chambers stated the process will be long. They will build a steering committee and evaluate past practices. Alternative analysis will look at needs, viability of services and alternatives moving forward. They will look at long term goals and priorities. They strive for community engagement and that will take time. Overall it takes a look at management and will have a plan laid out to rely on.

Commissioner McCormick gave a background to the collaboration of solid waste management between the City and County. It was decided due to an efficiency study around 2013. Previously there was interlocal agreements, but the joint management actually began 2015. There has been significant cost savings working jointly with the City of Helena. A big part of that is due to recyclables. Participation is ongoing due to City request and the County is supportive. The interest is in reducing the amount of solid waste and that is what got the study initiated.

Ms. Chambers said it is a cost share with the City of Helena. Specifically, there are certain tasks broken down and the County evaluates what is their role and what is the City's role. They look at what is equitable and fair. This is an expansion of the previous interlocal agreement.

Commissioner Rolfe stated he has been part of the process and he appreciates how Ms. Chambers has put this together to ensure there are no misunderstandings down the road.

No public comment was received.

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

**Public Hearing Re: Helena Sand and Gravel Variance Request to Operating Hours. (Applicant: Helena Sand and Gravel) (Planner: Lindsay A. Morgan)**

Lindsay Morgan, Planner III, presented public hearing on a variance request for operating hours for Helena Sand and Gravel. The variance was approved under their Montana Department of Environmental Quality (DEQ) Opencut Program permit. The property is south of Canyon Ferry Road, west and adjacent to Lake Helena Drive, east and adjacent to Valley Drive, and north of East Helena City limits. Approval of this request will minimize public travel interruptions and for overall public/contractor safety. Montana Department of Transportation is allowing nighttime shutdown access via the I-15/Lincoln Road on/off ramps, reducing the overall public traffic travel in those areas where asphalt paving will be occurring. Nighttime hours will be for asphalt plant production only, Monday through Friday 8pm - 5am from September 1, 2022 through October 14, 2022 for approximately 10 days during this time frame. Exact dates depend on project schedules and weather. This is a nonconforming use with the permit that was obtained. Public has been notified of today's hearing.

Pat Drynan, Helena Sand and Gravel, explained the work that is in process on Lincoln Road. Due to traffic, it is imperative to shut down traffic to pave the on/off ramps and the roads coming off the roundabout. The on/off ramps have been widened to fit with the roundabout. The trucking and scheduling trying to get asphalt out of Great Falls has been a challenge.

No public comment was received.

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

**Resolution 2022-90 Appointing Post-Election Audit Committee. (Connor Fitzpatrick)**

Connor Fitzpatrick, Elections Supervisor, presented a resolution for appointing a post-election audit committee. Audits happen after every election. There will be two precincts that will be randomly chosen to have ballots hand counted.

Mr. Fitzpatrick explained the process. The counties will be listed on a spreadsheet. They will randomly audit two counties. They hand count ballots to crosscheck with the tabulators. The only time they do not have to do a post-election audit is when there is a recount. Recounts happen with narrow races under a certain percent. Even though the counties on their own is above that percent, overall the percent was under so every county had to recount. Lewis and Clark County variance on the recount was none. Each candidate matched 100% to the tabulator.

Mr. Fitzpatrick stated that the audit committee will have nothing to do with the election until after the election and then will step in to hand count ballots. He explained the information looked at during the canvass process. Approximately 70% are absentee voters.

No public comment was received.

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

**Board Appointments for La Casa Grande Water/Sewer District. (Connor Fitzpatrick)**

Connor Fitzpatrick, Elections Supervisor, presented board appointments for La Casa Grande Water/Sewer District. Pursuant to statute, when an election is canceled and there are no regular or declared write-in candidates for a position, the Board of County Commissioners shall fill the position by appointment. He recommends appointing Ryan Williams and David Castona. Both meet the eligibility requirements.

No public comment was received.

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

**Board Appointments for Craig Water/Sewer District. (Connor Fitzpatrick)**

Connor Fitzpatrick, Elections Supervisor, presented board appointments for the Craig Water/Sewer District. Pursuant to statute, when an election is canceled and there are no regular or declared write-in candidates for a position, the Board of County Commissioners shall fill the position by appointment. He recommends appointing Jason Crocker and Jack Simmons. Both meet eligibility requirements.

No public comment was received.

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

**Board Appointment for Lincoln/Lewis and Clark Sewer District. (Connor Fitzpatrick)**

Connor Fitzpatrick, Elections Supervisor, presented the board appointment for Lincoln Lewis and Clark Sewer District. Pursuant to statute, when an election is canceled and there are no regular or declared write-in candidates for a position, the Board of County Commissioners shall fill the position by appointment. He recommends appointing Denny Langlois for a term ending in 2026, who meets eligibility requirements.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. 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 9:48 am.

Meeting minutes approved on 10.4.22

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Jim McCormick, Chair

Tom Rolfe, Vice Chair

  
Andy Huhnhausen, Member

ATTEST:

  
Amy Reeves, Clerk of the Board