



## **PUBLIC MEETING**

September 10, 2020  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, September 10, 2020, at 9:00 AM in Commission Chambers Room 330.

### **Roll Call**

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

Commissioner Andy Hunthausen and Commissioner Jim McCormick were present. Others attending all or a portion of the meeting included Roger Baltz, Peter Italiano, Charles Lane, Ann McCauley, Audrey McCue, Greg McNally, Christal Ness, Ryan Casne, Nancy Everson, Kari DesRosier, Paulette DeHart, Kevin Wright, and Nadine McCarty, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Resolution 2020-76 Declaring County Property Surplus Property. (Amy Reeves)

Roger Baltz reported on consent action item 2a and recommended approval.

No public comment was received.

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

### **Grant Application to Montana Department of Commerce. (Ann McCauley)**

Ann McCauley, Grants Administrator, presented the grant application to Montana Department of Commerce for a Community Development Block Grant (CDBG) Public and Community Facilities program in the amount of \$450,000. This application is for funding to implement the recently completed Preliminary Architectural Report (PAR) to support the installation of a new roof and other facility upgrades for the building owned and operated by Good Samaritan Ministries and Thrift Stores. Good Samaritan will provide the 25% required non-federal match. If awarded, the proposed work schedule is from July 2021 through December 2022. Staff recommends approval of the grant application submission to Montana Department of Commerce.

Ms. McCauley gave an overview of the CDBG grant process and stated that in spring 2020 a CDBG planning grant was awarded to conduct the PAR. The PAR is a requirement to submit a Public and Community Facilities program grant.

No public comment was received.

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

**Resolution 2020-75 to Authorize Submission of a Community Development Block Grant Application. (Ann McCauley)**

Ann McCauley, Grants Administrator, presented the resolution to authorize the submission of a Community Development Block Grant application to the Montana Department of Commerce for the Good Samaritan Ministries and Thrift Store facility upgrades project. Staff recommends approval of the resolution.

**PUBLIC COMMENT -**

Theresa Ortega, Good Samaritan Ministries Executive Director, stated that in order to keep Good Samaritan open and operational the building needs to be re-roofed. She thanked the Commission for going this direction and that the support is greatly appreciated. This will allow Good Samaritan to grow and continue providing much needed services to the community.

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

**Board Appointment. (Audrey McCue)**

Audrey McCue, Elections Supervisor was not present.

Commissioner Good Geise, presented the board appointment for the Northstar County Water and/or Sewer District. The regular May 2020 election for the District was canceled because the election was not contested. Three four-year terms were up for election. One candidate filed and was declared elected by acclamation. The two other positions that were up for election are currently open. Derek Oestreicher submitted a request for appointment which included signed oaths of candidacy affirming they possess the qualifications to hold the office. The elections department verified that he is a registered voter in the Northstar County Water and/or Sewer District.

Per statute, if an election has been canceled and there are no regular or declared write-in candidates for a position, the governing body of the local government, or, if appropriate, of the conservation district shall fill the position by appointment. The recommendation is to appoint Derek Oestreicher to the Northstar County Water and/or Sewer District Board of Directors. His term will end when a successor is elected or appointed at the May 2024 regular election.

No public comment was received.

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

**Investigation for a Proposed Street Abandonment. (Christal Ness)**

Christal Ness, Development Services Supervisor, presented the request for the Commission to order an investigation for a proposed street abandonment for an un-named street in the Bellevue Addition to Helena, Montana. The County received a completed application and petition to close and abandon a portion of an un-named street, a county road, located on the northern border of the Plan of the Bellevue Addition, platted in 1889. Per statute, the Commission needs to "cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the petition." Staff recommends approval of an investigation into the un-named street petition and appoint the following staff to the investigation: Kevin

Horne, Road and Bridge Superintendent; Christal Ness, Development Services Supervisor, and one County Commissioner. Ms. Ness suggested Commissioner McCormick be the appointed Commissioner as he is familiar with the area being investigated.

No public comment was received.

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

**Grass-Land IV Major Subdivision. (Tabled 9/3/20) (Applicant: Beth Noel) (Planner: Gregg McNally)**

Greg McNally, Planner III, presented the Grass-Land IV Major Subdivision recommendation that was tabled on September 3, 2020. The project is a 54 lot Major Subdivision. The project is located just south of Munger Road and east of the Frontage Road in the urban growth area. On August 18, 2020, the Consolidated City/County Planning Board held a public hearing to consider the application for the proposed major subdivision and recommended approval of the Major Subdivision Preliminary Plat subject to the conditions of approval based on the recommended findings of fact with an amendment to condition of approval number 8a that reads: all existing and proposed utility easements on the subject property (Note: including a 10x10-foot utility easement in each location adjacent to the public right of way where utilities are present). Staff is in support of the recommended amendment.

No public comment was received.

A motion was made by Commissioner Hunthausen to approve the Grass-Land IV Major Subdivision and seconded by Commissioner McCormick.

Prior to acting on that motion, a motion was made by Commissioner Hunthausen to approve the findings of fact as recommended by the City/County Planning Board and seconded by Commissioner McCormick. Commissioner Hunthausen reviewed the findings of fact focusing on: there are no known surface water rights and the proposed subdivision will not have adverse impacts of local water or wastewater, in addition adding wastewater facilities to accommodate the need with review by DEQ and Lewis and Clark Public Health; utility easements and how they should be represented; there are two ingress/egress roads; if necessary, the applicant will be required to ensure the roads are up to County standard; anticipation is to install fire hydrants, the new subdivision will be required to participate in maintenance of the hydrant water supply; the applicant has to have a 5-year weed plan; the subdivision does not meet regulations but the proposed subdivision can be brought into compliance once all conditions of approval are completed or satisfied.

Commissioner Good Geise stated there is a motion and a second to approve the findings of fact. The motion Passed on a 3-0 vote.

A motion was made by Commissioner Hunthausen to adopt a conclusion that the proposed Grass-Lands IV Estates Subdivision will have adverse impacts on the impact criteria and seconded by Commissioner McCormick. The motion Passed on a 3-0 vote.

A motion was made by Commissioner Hunthausen to adopt a conclusion that the adverse impacts of the proposed Grass-Land IV Estates can be mitigated through the amended conditions of approval as recommended by the City/County Consolidated Planning Board.

Commissioner Hunthausen reviewed the conditions of approval focusing on: the applicant must upgrade and ensure there is adequate water for fire system; internal roads will have to meet County standards approved by Public Works; a licensed engineer must certify a document that Munger Road and Karmen Road are adequate to standards specified for ingress and egress and the proportionate share be established in that report; if approved the preliminary approved conditions must be met in 3 years

whereby the applicant will return to the Commission for final approval, if conditions are not met the applicant must ask for an extension.

The applicant and representative acknowledged receipt and review of the conditions of approval and agreed to all of them.

Commissioner Hunthausen stated that there is a motion to approve the application including the findings of fact, conclusion of law and conditions of approval. The motion passed 3-0.

**Consideration of Appointment to the Consolidated Office of Treasurer/Clerk and Recorder/Auditor/Surveyor/Assessor/Local Registrar. (County Commissioners)**

Commissioner Good Geise announced that Paulette DeHart, Treasurer/Clerk and Recorder will be retiring at the end of September and that 12 applications were received for the position. The Commissioners individually reviewed and scored the applications and selected the top 4 candidates for interviews which were conducted on September 8, 2020. Today is scheduled for final general deliberations and a motion to appoint will occur. The person appointed is considered the Treasurer/Clerk and Recorder for the remainder of the term of 27 months. Commissioner Good Geise added one candidate has withdrawn from consideration due to time restraints.

No public comment was received.

Commissioner Good Geise stated public comment is closed.

Commissioner Hunthausen stated that the pool of candidates all did an excellent job and that he feels they could all do the job well.

Commissioner McCormick stated the candidates were impressively calm and deliberate under the pressure of interviewing all at the same time in a public forum. He thanked all candidates for their time and professionalism throughout the process.

Commissioner Good Geise gave an overview of the Treasurer/Clerk and Recorder's Office and the many responsibilities and duties associated with the office.

A motion was made by Commissioner Hunthausen to appoint Amy Reeves to the Consolidated Office of Treasurer/Clerk and Recorder, Auditor, Surveyor, Assessor and Local Registrar to fill the remainder of the existing term of service. The motion was seconded by Commissioner McCormick.

Discussion was had on the appointment of Amy Reeves with regards to her abilities, stability and consistency. Ms. Reeves has 27 years of experience, service and dedication with Lewis and Clark County. Commissioners felt that Ms. Reeves has the ability to bring continuity to complete the remainder of the term. She has exemplified leadership and has worked to advance her education and training on various aspects of the diverse office, including attending training on the election process.

Commissioner Good Geise stated there is a motion on the floor to appoint Ms. Reeves to the vacancy. 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 10:10 am.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Susan Good Geise, Chair

  
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Andy Hunthausen, Vice Chair

  
\_\_\_\_\_  
Jim McCormick, Member

ATTEST:

  
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Amy Reeves, Clerk of the Board