



**PUBLIC MEETING**  
September 13, 2016  
**MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, September 13, 2016, at 9:00 AM in Commission Chambers Room 330.

**Roll Call**

Chairman Mike Murray called the meeting to order at 9 a.m.

Commissioner Susan Good Geise and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, Michele Peterson-Cook, K. Paul Stahl, Maria Penna, Misty Edwards, Nancy Everson, Laura Obert, Nichole Brown, Eric S., Brian Obert, Wiley Barker, Al Knauber, and Nichole Nisbet, Recording Secretary.

**Pledge of Allegiance**

Everyone recited the pledge.

**Consent Action Items**

There were no consent action items.

**Bid Award - One Prefabricated Restroom and Shower Facility. (Misty Edwards)**

Misty Edwards, Administrative Technician, presented the bid award for one prefabricated restroom and shower facility. On September 2, 2016 three bids were opened for the purchase of one prefabricated concrete restroom and shower facility for placement at Hooper Park in Lincoln. Bids range in price from \$80,500 to \$179,060. The lowest bid met the minimum specifications; however, the same vendor also submitted the second lowest bid for a larger facility that better meets the needs of the county and Hooper Park and is within budget authority. Staff recommends that the Commissioners award the bid for the purchase of one upgraded prefabricated restroom and shower facility for a total purchase price of \$102,500.

No public comment was received.

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

**Resolution 2016-81 Levying an Assessment Upon Customers of the Scratchgravel Solid Waste Management District Owning Real Property in the District and Owing a Pay-As-You-Throw Program Charge After August 31, 2016. (Maria Penna)**

Maria Penna, Accounting Technician, presented the resolution levying an assessment upon customers of the Scratchgravel Solid Waste Management District owning real property in the district and owing a Pay-As-You-Throw Program charge after August 31, 2016. The data for the period ending June 30, 2016 has been compiled. Statements were mailed to permit holders who had exceeded the 1.5 ton limit for the period of July 1, 2015 through June 30, 2016. Only those accounts owing \$5.00 or more were mailed an

itemized statement showing dates of visits from July 1, 2015 to June 30, 2016. These charges were due and payable by July 31, 2016. Effective July 1, 2016 the Lewis and Clark County Landfill implemented an Accounts Receivable Collections policy in which all accounts with balances under \$750 and six months past the initial payment due date will be maintained by the Lewis and Clark County Landfill and may be turned over to the State of Montana or another entity for collection purposes. Statements were sent to landfill account holders within the Scratchgravel Solid Waste District that owned property in the district and have not paid their account to date. A list attached to the resolution shows the accounts with outstanding PAYT charges as of August 31, 2016. Once approved by Commissioners, these charges will be placed on the property owner's November 2016 tax bill per the proposed resolutions. Staff recommends the approval of the proposed resolution.

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 3-0 vote.

**Resolution 2016-82 Levying an Assessment Upon Customers of the Scratchgravel Solid Waste Management District Owning Mobile Homes in the District and Owing a Pay-As-You-Throw Program Charge After August 31, 2016. (Maria Penna)**

Maria Penna, Accounting Technician, presented the resolution levying an assessment upon customers of the Scratchgravel Solid Waste Management District owning mobile homes in the district and owing a Pay-As-You-Throw Program charge after August 31, 2016. Ms. Penna noted the presentation for the real property resolution applies to this resolution with balances to be placed on a property owner's November 2016 tax bill. Staff recommends the approval of the proposed resolution.

No public comment was received.

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

**Resolution 2016-83 Approving the Tax Benefits Application of Great Divide Solar, LLC for Qualifying Improvements (Equipment Purchases) to Property Located at 8896 Capeplace Drive, Canyon Creek, Montana, GeoCode 05-2109-09-1-01-01-0000 in Lewis and Clark County, Montana. (Nancy Everson)**

Nancy Everson, Finance Director, presented the resolution approving the tax benefits application of Great Divide Solar for qualifying improvements to the property located at 8896 Capeplace Drive in Canyon Creek, MT. On June 30, 2016, Great Divide Solar, LLC submitted an application for tax abatement. The sections of the law allow local governments to grant tax abatements for qualifying improvements or modernized processes for a new or expanding business. Ms. Everson reviewed the qualifying criteria for new or expanding industry. In the case of new industry, the following criteria have been met and noted that Great Divide Solar, LLC estimates the total installed cost of the equipment at \$5,460,000. Great Divide Solar, LLC will engage in a solar energy project which is estimated to produce more than 1 megawatt of electrical energy. The applicant must be current on all property taxes and it was noted that Great Divide, LLC does not currently own property in Lewis and Clark County or any other County in Montana. It plans to lease the property at 8896 Capeplace Dr, Canyon Creek, MT for the solar project and estimates construction on the solar farm will be done by the end of 2017. The value of the abatement is estimated at \$455,578 over ten years. The project will be located on approximately 32 acres of land located in the Canyon Creek area of Lewis and Clark County and will provide electricity from the solar panels to NorthWestern Energy. The project is expected to create approximately 45 temporary construction jobs. Along with other anticipated projects across the state, it is also expected to result in one ongoing employment position related to asset management and operations and maintenance. Staff recommends approval of this tax abatement project. The proposal has little demand on public infrastructure thus the abated new taxable values will not be subsidized by the remainder of the tax base. Additionally, the abatement incentivizes private investment in alternative energy production, which has a positive benefit for consumers by diversifying source energy.

Commissioner Murray asked if the Trinity School District taxes will be affected.

Nancy Everson stated that the school district taxes for Trinity and School District No. 1 will be abated as well.

Commissioner Hunthausen noted the new tax revenue coming in over ten years to the County even with the tax abatement request.

#### PUBLIC COMMENT-

Wylie Barker, Attorney for Crowley Fleck, stated he is here on behalf of Great Divide Solar and presented additional details of the project. Mr. Barker presented the landscaping plan that includes a 200 foot buffer which was done in response to neighbors' concerns. It was noted that the owners would like to place solar panels on the Volunteer Fire Department to provide power to the station in an effort to reduce the costs to the Fire Department.

Commissioner Hunthausen noted the landowner who is opposite of the proposed screen and their concerns.

Wylie Barker stated they can provide screening to the northwest corner as well.

Commissioner Geise asked what efforts have been made to talk to the individual who has expressed concerns. She noted the landowner has not been spoken to about the project and further noted that the proposed structures will become the landowners view.

Wylie Barker stated it is his understanding that efforts were made to reach out to the landowners. He noted a meeting was held at the fire hall in efforts to reach out to the neighbors. He noted they are happy to provide screening to this landowner.

Commissioner Geise asked what happens to the property values of those who surround these types of developments.

Wylie Barker stated a property value study was sent out with the proposed facility and showed there was no substantial impact to the property surrounding these type of developments.

Brian Obert, MBAC Executive Director, stated his support for the proposal as it is a new addition to the tax base. He noted that the PSC has put in a cap that will limit the number of solar farms that can go in the area. There is an opportunity for the County to attract future investments.

Wylie Barker stated he urges the Commission to approve the application.

A motion was made by Commissioner Hunthausen to approve the resolution and the motion was seconded by Commissioner Geise.

Commissioner Hunthausen stated he will support the motion due to the tax benefit and the benefit to the overall benefit to the community being positive. He addressed the landowners concern and the applicant's willingness to work with that landowner.

Commissioner Geise noted that it is her understanding that the group that will benefit is Cyprus Creek Renewable, not the local landowner. She noted it is important to be a good neighbor and expressed her dismay with the lack of communication with the concerned landowner.

Commissioner Murray stated he intends to support the application but expects the firm to contact the landowner.

Eric Bryson asked the Commission to name the landowner on the record.

Commissioner Geise stated the landowner is Steve Johns.

Commissioner Hunthausen noted he spoke with Mr. Johns as well.

The motion on the table Passed on a 2-1 vote with Commissioner Geise voting against.


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


Eric Bryson announced that today is Deputy County Attorney, Michele Peterson-Cook's last public meeting and thanked her for her years of service.

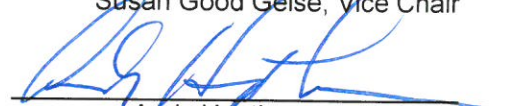
**Adjourn**

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

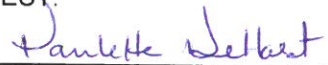
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Michael Murray, Chairman

  
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Susan Good Geise, Vice Chair

  
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Andy Hunthausen, Member

ATTEST:

  
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Paulette DeHart, Clerk of the Board