



PUBLIC MEETING

September 19, 2019

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, September 19, 2019, at 9:00 AM in Commission Chambers Room 330.

Roll Call

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

Commissioner Andy Hunthausen was present. Commissioner Jim McCormick was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Kari DesRosier, Peter Italiano, Charles Lane, Reese Martin, Marni Bentley, Greg McNally, Glenn Hayes, Chris Weiss, and Misty Edwards, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending September 20, 2019. (Marni Bentley)

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

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 2-0 vote.

Grant Award to Lewis and Clark County from Montana Department of Transportation. (Chris Weiss)

Chris Weiss, Sheriff's Department Sergeant, presented the grant award agreement with Montana Department of Transportation in the amount of \$12,000 for the annual Highway Safety Plan. The agreement period is October 1, 2019 through September 30, 2020. The purpose of the contract is to reduce crashes, injuries and fatalities associated with impaired driving and lack of proper occupant restraint. The program provides funds for deputy salaries and overtime to deter impaired driving and occupant restraint violations. The program is to be used at high-risk events and time frames such as rodeos, fairs and other community events with a history of high fatality rates.

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 2-0 vote.

Grant Award to Lewis and Clark County from Montana Disaster and Emergency Services. (Reese Martin)

Reese Martin, Disaster & Emergency Services Coordinator, presented the grant award from Montana Disaster and Emergency Services in the amount of \$70,000 for the Emergency Operations Center Generator Upgrade project. The grant period is October 1, 2019 through September 30, 2020. This is a fully funded grant with no match requirement. This upgrade will allow for the purchase of a generator that is more mobile than the current generator. The current generator is large and on a trailer and needs a large vehicle to tow it. The County will keep the current generator and use it at large events, such as a fire camp.

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 2-0 vote.

Labor Agreement Between Lewis and Clark County and the Lewis and Clark County Sheriff Employees' Association. (Kari DesRosier)

Kari DesRosier, Human Resources Director, presented the collective bargaining agreement with the Lewis and Clark County Sheriff Employees' Association. The agreement is for a two year period beginning July 1, 2019 through June 30, 2021. The Sheriff and the Association have both signed the agreement. Staff recommends approval of the agreement with the Lewis and Clark County Sheriff Employees' Association.

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 2-0 vote.

Subdivision Improvements Agreement Extension Request for the Amended Plat of Lot 2A1, Timberworks Estates (Phase IV), Document No. 3278062 [A.K.A. Timberworks Estates Subdivision, Phases V & VI] (Applicant: Frontier Builders, Inc.) (Planner: Greg McNally)

Greg McNally, Planner III, presented the requested extension of the Subdivision Improvements Agreement for a portion of the Timberworks Estates project. Phases V and VI of the subdivision were granted final plat approval on October 30, 2018 with a Subdivision Improvements Agreement (SIA) that guaranteed installation of the remaining phase of the public wastewater treatment system and street identification and traffic control signs. The improvements for the remaining phase of the public wastewater treatment system are still incomplete.

The property is located west of and adjacent to N. Montana Avenue and north of and adjacent to Lincoln Road. All phases of Timberworks Estates were granted preliminary approval on March 1, 2011 with final plat approval of Phase I on October 18, 2011; Phases II and III on March 14, 2013; and Phase IV on August 20, 2015.

The Applicant has indicated that many of the needed components for the wastewater treatment system have been ordered and will be installed by March 5, 2020. As approved by the Department of Environmental Quality, the public wastewater treatment system is to be completed in two phases. The first phase is complete and the entirety of the collection system and drainfields are installed and certified. Components of phase two that generally includes pumps, connections, controls, etc. are currently not installed. With phase one complete the

system is currently operational, but phase two must be completed to treat all the effluent from the full build out of the Subdivision.

The Applicant has provided cost estimates and an irrevocable letter of credit in the amount of \$64,712.39 or 125 percent of the cost estimates. The letter of credit will expire on October 5, 2020. The SIA indicates a completion date of September 5, 2020. Per the conditions of approval, the SIA includes a clause stated as follows: Until the wastewater system for all lots within the Subdivision is approved and operational, the Developer must provide written notice in all buy/sell agreements that the wastewater system is not operational. Staff recommends approval of the extension request.

Mr. McNally added that the current SIA is in default as all components were to be completed by September 5, 2019. The County could collect on the letter of credit but then the County would be obligated to complete those improvements.

PUBLIC COMMENT -

Glenn Hayes, applicant, stated that all improvements are completed with the exception of Phase 2 of the wastewater treatment system. The parts needed to complete the system are on back order, it's just a matter of waiting for them to be delivered so they can move forward. All current homeowners have wastewater service.

Mr. Hayes added that there are easements for walking paths but that those paths have not been installed due to requests from homeowners; they have installed the paths that were required as part of the improvements agreement. If the homeowner's association decides to install the paths at a later date, the easements are in place for that.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Good Geise. 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 9:34 a.m.

**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