



PUBLIC MEETING

September 29, 2020
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, September 29, 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, Kari DesRosier, Eric Griffin, Nicho Hash, Jacqueline Isaly, Peter Italiano, Emily McGlenn, Kevin Wright, Ron Stegmann, Deanne Stegmann, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items

Agreement Between Lewis and Clark County and the USDA, Forest Service Helena-Lewis and Clark National Forest. (Eric Griffin)

Eric Griffin, Public Works Director, presented the agreement with the USDA, Forest Service Helena-Lewis and Clark National Forest, that has been in existence for some time. The agreement outlines the responsibilities of each entity regarding certain forest roads that includes cooperative planning, survey, design, construction, reconstruction, improvement, and maintenance. The County maintains some Forest service roads and the Forest Service maintains some County roads that make sense. This agreement is amended when there are any special projects. He gave an overview of the roads and their locations maintained by each entity. Staff recommends approval of the agreement with the USDA Forest Service.

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.

Contract Agreement Between Lewis and Clark Public Health and Big Sky Way. (Jacqueline Isaly)

Jacqueline Isaly, Community Health Promotion Division Administrator, presented the contract with Big Sky Way, LLC for providing Lewis and Clark Public Health (LCPH) and Healthcare Practitioners a virtual program to healthcare workers impacted by the COVID-19 pandemic. A grant was awarded from Montana Department of Health and Human Services (DPHHS) Addictive and Mental Disorders Division

to address mental health and substance abuse disorders during the pandemic with funds from the Substance Abuse and Mental Health Services Administration Emergency Grant.

The four-hour virtual course will be offered to professionals 10 times throughout the contract. The contract is not to exceed \$12,090 and begins upon approval through August 19, 2021. Staff recommends approval of the contract with Big Sky Way.

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.

Subcontracting Approval Contract Between Lewis and Clark Public Health and the Montana Department of Public Health and Human Services. (Jacqueline Isaly)

Jacqueline Isaly, Community Health Promotion Division Administrator, presented the subcontracting approval agreement with the Montana Department of Public Health and Human Services (DPHHS) for SAMHSA Emergency COVID-19 Funds to subcontract with Center for Mental Health for direct mental health services needed as a result of COVID-19 in Lewis and Clark County. The Center for Mental Health is identified as the entity to provide evidence based direct services to uninsured, underinsured, or otherwise lack the ability to pay for services. They will provide screening and assessment, care coordination, peer support services, outpatient therapy, medication management, and will provide data to Lewis and Clark Public Health as required for reporting. Staff recommends approval of the contract.

Ms. Isaly confirmed there is no necessary match from the County.

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.

Contract Amendment Number One for Contract Number 21-07-3-01-009-0 Between Lewis and Clark Public Health and the Montana Department of Public Health and Human Services. (Jacqueline Isaly)

Jacqueline Isaly, Community Health Promotion Division Administrator, presented the contract amendment to the contract with the Montana Department of Public Health and Human Services (DPHHS). The contract is for Chronic Disease Prevention Programs. Lewis and Clark County is the regional hub for Broadwater, Meagher, Jefferson and Lewis and Clark Counties. The amendment will decrease the original funding award from \$291,009 to \$282,799 due to a decrease in federal funding for the cancer screening programs. It also adds a deliverable to the CONNECT Referral Program to create a sustainable plan for CONNECT monthly. Staff recommends approval.

Commissioner McCormick stated this is one adjustment that comes up frequently. Ms. Isaly confirmed that when the contract was approved, they knew it may need to be amended and they are decreasing staff FTE due to the decrease in funding.

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.

Grant Award to Lewis and Clark County from the International Public Management Association. (Emily McGlenn)

Emily McGlenn, Human Resource Specialist, presented the grant award from the International Public Management Association for Human Resources and its State and Local Government Financial Wellness Partners in the amount of \$25,000 with no required match. The authorized grant program will cover the period from receipt of the funds through September 30, 2021. The goal of the program is to support the

employees and their families overall financial well-being and provide tools to meet both long and short-term financial needs.

Outcomes hoped to see is an increase in financial literacy, maximize financial opportunities and reduce stress and challenges, and reach their financial goals. Staff recommends approval.

Ms. McGlenn explained the program. She will send out a financial assessment to find out where the needs are. There will be an 8-week forum module including education, in person and online platforms; a financial coach will be hired; an investment club will be started so that people will have one on one support and encouragement for getting where they need to be.

Commissioner Good Giese stated there are several hundred County employees and some are not paid very much. Like every American family, people need to learn to budget and get educated on finances. Financial literacy is essential. This grant was based on a competition with hundreds of applications received and Lewis and Clark County was awarded the 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.

Buildings for Lease or Rent: Lake Helena Drive Storage. (Tabled 9-15-20) (Applicant: Deidre Smith) (Planner: Connie Dedrick)

Connie Dedrick, Planner I, presented the Buildings for Lease or Rent (BLR) to be known as Lake Helena Drive Storage, continued from September 15, 2020. The application request is for 5 new storage structures. One for RVs, one for boats, and three for personal storage on a portion of the 5.41-acre site. It will consist of 116 units. The applicant is proposing an office building which will use existing well and new individual wastewater system. Access will be from Lake Helena Drive. A detention pond has been constructed and is located at the southwest corner of the property. All lighting will be required to face downward. The existing property owner to the south will be slated by chain link fence.

To date 10 emails have been received. In the packet submitted today was a comment from a concerned property owner. Permits included were the approach permit and the septic permit. Staff recommends approval.

Ms. Dedrick confirmed that all required permits have been obtained and were obtained prior to construction. There is no zoning that will inhibit pursuing the project.

Ms. Dedrick stated the concerned property owner recently sent an email stating that his concerns were addressed. He spoke with the contractor and got answers to all issues. The main concern was the human and environmental impacts, mainly the view. Ms. Dedrick added they do not regulate viewshed. Staff attempted to mitigate impacts. A study was conducted to be sure light was not negatively impacting traffic and neighbors. The applicant went above and beyond what is required to try and be a good neighbor.

Peter Italiano, Community Development and Planning Director, confirmed the application was created by the County. He added the form is a result of the BLR process and is unique. The legislature made a statute to implement, and the County made a resolution to follow that statute and the form is reflective of that. If there was zoning in place, they would not be going through this process. The viewshed issue is not something that the resolution and process addresses.

Commissioner Hunthausen stated the Commission has no authority over viewshed. Mr. Italiano confirmed there is no zoning in that area, no development review process, and no building permit process. Mr. Hash concurs with Mr. Italiano.

PUBLIC COMMENT:

Dedrie Smith, owner of the project, stated anything built on the property would have obstructed someone's view. That piece of property was for sale for over 7 years. Anyone not wanting their view obscured could have bought the land. She did stand in Mr. Stigman's living room and the part of the view that is obstructed is the property itself. He does not get to see the horses graze on the property and that was his concern. She is drawing residents from a 6 to 12-mile radius to use the facility. They are already living in the area. If crime is not an issue now, she does not see a problem in the future.

A global motion was made by Commissioner McCormick to approve Lake Helena Drive Storage and seconded by Commissioner Hunthausen.

Commissioner McCormick reviewed the conclusions and findings of fact. Proposed project complies with BLR regulations, and all other applicable regulations. Void or minimize significant impacts on environment and human population. If recommended conditions are imposed and satisfactorily completed or otherwise addressed, the proposed development is not affected by zoning regulations. Weed management plan must be in place. The applicant obtained a Montana Pollution Discharge Elimination Systems permit through Department of Environmental Quality as more than one acre was planned to be disturbed during construction. Detention pond has been constructed to accommodate stormwater.

A motion was made by Commissioner McCormick to approve the conclusions and findings of fact and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

A motion was made by Commissioner McCormick to approve the conclusion on adequate water, wastewater and solid waste facilities and seconded by Commissioner Hunthausen. The motion was approved on a 3-0 vote.

The applicant will have an office that will have a bathroom, a septic system has been installed and passed inspection through Lewis and Clark Public Health and permit was previously obtained. Existing well will service the office. The applicant has not proposed a plan for solid waste but is within the Scratchgravel Solid Waste District and could also be provided by contracted solid waste hauler.

A motion was made by Commissioner McCormick to approve the conclusion and findings of fact on adequate access to the site is provided to serve the Buildings for Lease or Rent and seconded by Commissioner Hunthausen.

Commissioner McCormick reviewed the conclusions and findings of fact. Access will be located off of Lake Helena Drive and the applicant received an approach permit. The BLR is adding 21 average daily trips to Lake Helena Drive. Minimum required site distance with minor collector is 170 feet per table per Public Works manual.

Commissioner Hunthausen pointed out that Public Works has reviewed this and has given permits. There has been review of adequate sight distance and is important and appropriate.

Commissioner Good Geise stated there is a motion and a second on the table. The motion passed on a 3-0 vote.

A motion was made by Commissioner McCormick to approve the conclusion and findings of fact for BLR have adequate emergency, medical, and law enforcement services available and Commissioner Hunthausen seconded the motion. The motion passed on a 3-0 vote.

A motion was made by Commissioner McCormick to approve the conclusions and findings of fact that BLR comply with any floodplain regulations and seconded by Commissioner Hunthausen.

Proposed BLR is adjacent to Lake Helena Reservoir. No floodplain permit is needed for the development.

Commissioner Good Geise stated there is a motion and a second on the table. The motion passed on a 3-0 vote.

A motion was made by Commissioner McCormick to approve the conditions of approval and seconded by Commissioner Hunthausen.

Commissioner McCormick reviewed the conditions of approval focusing on: prior to renting or leasing the BLR, have a 5-year weed management and revegetation plan in place, install address plaques, shall have engineer certify stormwater facilities for stormwater runoff, must have pollution discharge elimination system permit, shall submit plant for wastewater treatment, water supply systems for review and approval, submit documentation to development planning for review and approval, and project lighting shall be arranged and shielded so light source cannot be seen from any adjacent buildings and shall be pointed down.

Commissioner Hunthausen stated several of the conditions are related to public comment concerns and points out what permits were required for the project.

Commissioner Good Geise stated that the stormwater facility certificate must demonstrate that post development of the site does not exceed predevelopment historical flow. The applicant confirmed that they have received the proper permits. Ryan Werner, construction manager, has been proactive on a lot of these issues already and permits have been obtained.

Commissioner Good Geise stated there is a motion and a second on the table. The motion passed on a 3-0 vote.

Commissioner Hunthausen stated there is a personal perspective and a professional perspective. There is nothing in the regulations that would not allow the project to move forward. When this went before the legislature the County spoke against putting the law through.

Commissioner McCormick added that he personally would like to have a say over viewshed. Governments are of laws, not of men. The laws must be followed and established through legislation process.

The Commissioners recommended that the County review the policy regarding BLRs.

Commissioner Good Geise stated there is a global motion and a second on the table. 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 10:25 a.m.

Meeting minutes approved on 11.15.22

ATTEST:




Amy Reeves, Clerk of the Board


LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Jim McCormick, Chair



Tom Rolfe, Vice Chair



Andy Hunthausen, Member