



PUBLIC MEETING

December 6, 2022
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, December 6, 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, Phil Gonzalez, Nicho Hash, Greg McNally, Carrie Lutkehus, A.C. Rothenbuecher, Ann McCauley, Mary Hollow, Travis Vincent, Kevin League, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Contract Agreement Between Lewis and Clark Public Health and Missoula City-County Health Department. (A.C. Rothenbuecher)

A.C. Rothenbuecher, Community Health Promotion Division Administrator, presented the professional services agreement with Missoula City-County Health Department in the amount of \$36,777.77 to continue nurse supervision and data entry services for the Nurse Family Partnership home visiting program. The agreement period is October 1, 2022 through September 30, 2023. This is an annual agreement that has been in place for a number of years. There are four health departments in the collaborative partnership that includes Missoula, Billings, Butte and Helena. Staff recommends approval of the agreement with Missoula City-County Health Department.

Ms. Rothenbuecher gave an overview of the evidence-based program. Lewis and Clark Public Health has two visiting nurses mostly focused on pregnant women and women within the first year of pregnancy to promote healthy babies, healthy families and parenting. She further explained the partnership and support. A nurse supervisor in Butte and Helena is needed as they do not have the resources to be able to provide that service.

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.

Request for Allocation of Local Assistance and Tribal Consistency Funds (Carrie Lutkehus)

Carrie Lutkehus, ARPA Program Specialist, presented the request for a Local Assistance and Tribal Consistency Fund (LATCF) allocation to the County Contingency Fund in the amount of \$500,000. The LATCF established by Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, provides for Treasury to pay eligible revenue sharing counties and Tribal governments for use on any governmental purpose except for lobbying. Per the LATCF allocation formula, the County's FFY22 allocation is \$866,403.80 and the FFY23 allocation is \$866,403.80 for a total of \$1,732,807.60.

In anticipation of continuing budget challenges due to current and forecasted economic conditions, a County Contingency Fund was recently created with the proposal to allocate \$500,000. Staff recommends approval of \$500,000 in LATCF funds to be allocated to the County Contingency Fund.

Ms. Lutkehus explained the Treasury established the funds due to the inconsistency in other federal grant programs, specifically the Refuge Revenue Sharing and Payments in Lieu of Taxes (PILT) programs.

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.

Resolution 2022-108 to Approve Funding from the County Land, Water, and Wildlife Bond to Prickly Pear Land Trust for the Acquisition of the Canyon Cattle Conservation Easement. (Applicant: Prickly Pear Land Trust) (Planner: Phil Gonzalez)

Phil Gonzalez, Planner I, presented the resolution approving funding from the County Land, Water, and Wildlife Bond, known as the Open Lands Program to Prickly Pear Land Trust (PPLT) for the acquisition of the Canyon Cattle Conservation Easement. The proposed easement is to be held and monitored by PPLT. The proposed project is located just north of Craig, Montana.

The easement would be on approximately 3,885 acres of a highly visible and productive cattle ranch with approximately five miles of Missouri River shoreline along Interstate 15, and along a portion of the Dearborn River. The property is a working ranch used for hay production and grazing. It is adjacent to a 90,000-acre ranch. The property has residential structures occupied by family members as well as an operation short term cabin rental. The proposed conservation easement has two building envelopes where existing and future structures can be constructed while maintaining access to them. The property contains important habitat for bighorn sheep, whitetail and mule deer, elk, turkey, pronghorn, black bear, mountain lion, and other species. On January 31, 2022, a level two application was submitted and presented to the Open Lands Citizens Advisory Committee (CAC) on March 1, 2022. Following the meeting, a site visit occurred with the CAC and PPLT members. On April 5, 2022, the CAC found the application met the criteria found in the Open Lands Program Guide and voted 7-0 to recommend approval of the project to the Board of County Commissioners (BoCC). On April 28, 2022, the BoCC accepted the CAC recommendation and opened a 30-day comment period. On June 7, 2022, the BoCC reviewed the application and CAC recommendations, all public comment and approved the application request. On November 11, 2022, PPLT submitted due diligence materials, staff reviewed and found them to be in compliance with the Open Lands Program Guide. On November 30, 2022, the CAC approved a final recommendation to the BoCC with a vote of 8-0.

Within the five miles along the Missouri River, there are four existing public fishing access points. The request is for \$1,950,000 from the bond. The appraised value of the conservation easement is \$4,755,000. The landowner donation is \$2,805,000, 41 percent of land easement value, and landowner will reimburse PPLT for associated fees. The total project cost is \$4,883,062.

The goals of the project are to protect fish and wildlife habitat, recreational opportunity, protect water resources and water quality, preserve open lands and natural areas, expand and connect existing open land holdings, protect and restore riparian corridors along waterways, ensure permanent conservation outcomes, conserving working farms and ranches, manage growth and development, conserve large blocks of land, maximize the public benefit on the County's fund.

Staff received eight public comment letters and during 30-day comment period three comments were received. Staff recommends accepting the recommendation of the CAC and approval of the resolution.

Mary Hollow, Prickly Pear Land Trust, discussed the broader impacts of open land bonds in the state and she appreciates the Commission's leadership. She thanked the staff that has worked on this project.

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 9:32 am.

Meeting minutes approved on January 24, 2023


LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Tom Rolfe, Chair



Andy Hunthausen, Vice Chair



Candace Payne, Member

ATTEST:



Amy Reeves, Clerk of the Board