



## **PUBLIC MEETING**

April 4, 2023  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, April 4, 2023, at 9:00 AM in Commission Chambers, Room 330.

### **Roll Call**

Chair Tom Rolfe called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen and Commissioner Candace Payne were present. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Dan Karlin, Ann McCauley, Angie Hubbard, Greg McNally, Kevin Horne, Kim Smith, Kris Smith, Jesse Whitford, Tricia McCreary, Ralph Yuhas, Bridget Johnston, John Herrin, Jenny Chambers, and Brandi Spangler, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

There were no consent action items.

### **Bid Opening. 2023 Chip Seal Project. (Dan Karlin)**

[1:42] Dan Karlin, County Engineer, opened bids for the 2023 Chip Seal Project. Two bids were received. The first from Bullock Contracting, LLC of Boulder, Montana in the amount of \$1,063,946.86 and the second from Helena Sand and Gravel Inc. of Helena, Montana in the amount of \$1,090,787.80.

No public comment was received.

Commissioner Hunthausen made a motion for staff to take the bids under advisement and make a recommendation to the Commission on April 18, 2023. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

### **Request to Participate in New National Opioid Settlements. (Ann McCauley)**

[4:59] Ann McCauley, Grants and Purchasing Director, presented a request to participate in national opioid settlements with Teva, Allergan, CVS, Walgreens, and Walmart. The County will need to approve and execute a Memorandum of Understanding (MOU) Approval Form and a Participation Form for each settlement to be disbursed to local government. Ms. McCauley is the

authorized representative of Lewis and Clark County. She gave an overview of how the settlement is intended to be used and how it will be disbursed. Staff recommends approval of the request.

No public comment was received.

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

**Buildings for Lease or Rent: Kim Smith McHugh #2 BLRP 2022-004. (Applicant: Larry Kim Smith) (Planner: Angie Hubbard)**

[13:10] Angie Hubbard, Planner II, presented a Building for Lease or Rent (BLR) application to be known as Kim Smith McHugh BLR #2. The BLR will add thirty single family residential rental units to the 11.61-acre property. Half the units will be three-bedroom units with attached garages and half will be two-bedroom units with an option for attached garages. There will be a public water system with two wells, a storage tank, and a pump house. A separate irrigation well will serve non-potable demands. Septic tanks and three wastewater drain fields will be constructed, each serving ten units. Access to the development will be off McHugh Drive. Staff recommends conditional approval of the application.

[19:06] Ryan Casne of Casne and Associates, 664 Logan St., noted they are ready to move forward with the project and discussed the access easements, fire protection, and irrigation.

[31:43] Kim Smith, 7510 Applegate Drive, gave an overview of the project to highlight questions from the Commissioners including irrigation and water rights, emergency access points, and the benefit this project brings to our community.

Commissioner Hunthausen reviewed the findings of facts and conclusions, and listed conditions of approval.

**PUBLIC COMMENT:**

[45:09] John Herrin, Helena valley resident, is in support of the project and voiced his opinion of subdivision regulations. He compared subdivision regulations to BLR requirements.

[1:02:58] Kim Smith, 7510 Applegate Dr, spoke on his view of affordable housing and addressed a couple statements made by Mr. Herrin.

Commissioner Rolfe closed public comment.

Angie Hubbard stated conditional approval meets the requirements for zoning and BLR regulations and explained how it is different from subdivision. Mr. Smith is the owner and manager of the entire property instead of selling each parcel to different owners.

[1:06:10] Commissioner Hunthausen made a motion to take the presentation on the proposal, public comment, and staff notes under advisement and reconvene to the regular scheduled Public Meeting on April 13, 2023 and seconded by Commissioner Payne. 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.**

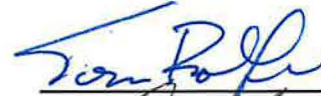
[1:08:15] John Herrin, resident, spoke extensively on his views regarding housing developments, affordable housing, regulations, and growth policy.

**Adjourn**

There being no further business, the meeting adjourned at 10:35 a.m.

Meeting minutes approved on APRIL 13, 2023

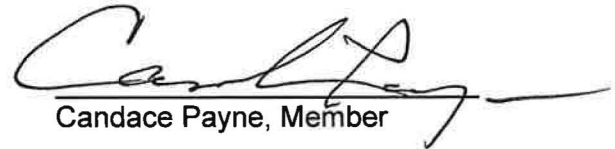
LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Tom Rolfe, Chair



Andy Hunthausen, Vice Chair



Candace Payne, Member

ATTEST:

Amy Reeves by MSP  
Amy Reeves, Clerk of the Board