



PUBLIC MEETING

August 1, 2023
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, August 1, 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, Audra Zacherl, A.C. Rothenbuecher, Jessica Makus, Jade Wills, Calob Marquis, Frank Cornwell, Worby McNamee, Dan Karlin, Kelley Shields, Jim Kehr, Lenore Adams, Carina Zook, Roy Caldwell, David Koch, Jay Carter, Donald Dolly, Richard Black, Greg Harden, Sharon Krebs, Bill Snoddy, Nick Hamlin, Peter Meyer, John Dendy, Beau Bieber, Christopher St. Jean, Rhonda Root, John Hoeglund, Megan Knutson, Karen Spawn, Valarie Manolovits, Julie McGuire, D. Butzlaff, John Barbagello, Earlene Ostberg, Rick Ostberg, Earleen Franklin, Corkey Whempner, Retha Whempner, Ken Coryrad, Arthur Robinson, Lori Klugman, Allen Zakel, Lant Barney, Joyce Evans, Jason Rioux, Rhonda Vogl, Stefanie Kujaczynski, Glenn Van Dyke, Chris Otto, Kevin Colby-Hand, Steve Shirley, Pam Attardo, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Public Meeting Minutes for June 29, July 4, 6, 11, 13, 2023. (Brandi Spangler)

[1:34] Roger Baltz, Chief Administrative Officer, reported on consent action item 2a and recommended approval.

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.

Bid Opening. One New Medium Duty Pickup Cab and Chassis. (Audra Zacherl)

[2:43] Audra Zacherl, Public Works Assistant Director, stated no bids were received for the medium duty cab and chassis.

No public comment was received.

No action was taken.

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

[3:55] A.C. Rothenbuecher, Community Health Promotion Division Administrator, presented an amendment to an agreement with Missoula City-County Health Department for continuing services for data entry and nurse supervision for the Nurse-Family Partnership home visiting program. The amendment increases the amount of the agreement to \$39,939.32 and the period of performance remains the same. Staff recommends approval of the amendment.

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.

Resolution 2023-66 Levying Assessments upon Benefited Property Within Rural Improvement Districts in Lewis & Clark County, Montana. (Jessica Makus)

[8:02] Jessica Makus, Special Districts Coordinator, presented a resolution levying assessments upon benefited properties within Rural Improvement Districts (RIDs). All RIDs included in this resolution have no change to their assessment. Legal notice was sent to all properties within the 110 RIDs and legal notice was published in the Independent Record. Four letters of protest from four different RIDs were received; those include Silver Creek, Munger Road, Autumn Wind, and Countryside Road. Staff recommends approval of the resolution.

Ms. Makus explained the process on creation of RIDs, resolutions, assessments, and funds pertaining to each RID. She noted work has been delayed, particularly grading, due to new policy on procurement. Work is completed as needed so money is not unnecessarily spent.

[28:20] Jenny Chambers, Public Works Director, explained that a grant was received for Head Lane bridge and until that money comes in, Public Works purchased a bridge neck to use on Head Lane that will be used on other bridges in the future.

PUBLIC COMMENT:

[38:26] Jim Kehr, American Bar RID, complimented Jessica Makus and Calob Marquis, and wondered what happened at American Bar this year? No dirt was moved even after an increase to the RID. He believes the process needs to be more flexible and the procurement process is taking away the individual right to make decisions. The request for proposal is a mistake that can be remedied.

[43:50] Kevin Colby-Hand, Elkhorn RID, stated there is no maintenance of the last 100 yards of the road. Gravel needs to be pulled out of the drainage ditch. Property owners have to clean out culverts. He personally has not benefitted from the RID for the last 4 years.

[51:27] John Barbagello, Raven Road RID, asked for clarification on the percentages of residents to make changes to a resolution.

[55:16] Bill Snoddy, Prickly Pear Estates RID, understands the needs for taxes and this RID will not cover the necessary maintenance for Holly Grape Road.

- [59:50] Art Robinson, Prickly Pear Estates RID, sent in pictures of plugged culverts and what happens to the roads when there is significant accumulation of moisture. His driveway gets washed over and it is encroaching on his drainfield.
- [1:03:15] Joyce Evans, North Hills RID, submitted a letter August 1, 2022 regarding residents in the area that are not paying into the RID and believes these residents need to be added to the RID.
- [1:06:02] Rhonda Root, Hillview RID, does not feel work is happening as much as it should. She believes ditch and culvert work is included in the resolution and the grading that was done yesterday, put dirt in the ditch.
- [1:08:09] Nick Hamlin, 3355 Tilly Ct, is concerned that no maintenance has been done, he has been doing the work himself.
- [1:11:11] James Brusda, Tilly Ct resident, asked how to get rid of an RID. He thinks it would be helpful to have a spreadsheet on the website that lines up what is in the account and what kind of work needs to be done.
- [1:13:19] Rick Ostberg, Holter Lake property owner, Beartooth RID, received notice that work was going to be done on the road and property owners get charged for that. There is an extensive amount of public traffic on that road and he feels it should be the county's expense.
- [1:15:12] Chris Otto, Helena Valley Flood Mitigation RID, paying in a lot of money to the RID, and is seeing little results within the RID. The ditch by Rossiter School is filled with so many weeds, she believes there is no way to get flood waters down to the flood mitigation areas. Where is the McHugh ditch that she has read about in mitigation studies? Money is spent on signs in the area about being ready for flood season. Residents in the area know to be prepared, the signs are a waste of money.
- [1:19:29] Ken Coryad, Eastgate II RID, roads leave a lot to be desired and is being addressed. Boundary Street is in the worst condition, with very poor quality of work. Who does the patching and how much are they spending on that work and is anybody looking at that work?
- [1:24:10] Christopher St. Jean, Emerald Ridge RID, encourages the agency to continue educating residents and share as much information as possible. Appreciates the hard work of the staff. The Homeowners Association there is continually changing and no one knows what was happening there in 2015.
- [1:27:11] Steve Shirley, president of Treasure State Acres Homeowners Association, thinks the partnership with RID and HOA has really improved the situation in the area and transparency. The only concern he has, is routine maintenance has gotten more delayed.
- [1:29:23] Ms. Makus responded to public comment.
- [1:48:04] Dan Karlin, County Engineer, explained the flood mitigation work that has been completed in the North Valley, how it came about, and the plans for future flood work to be completed. He also explained the history of the Helena Valley and what residents can do to prepare for flooding.

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

Resolution 2023-65 Approving the Tax Abatement Application of Matthew Culpo and Christine Thennis for a Property Located at 3 Washington Place in the City of Helena, Montana. (Frank Cornwell)

[2:04:41] Frank Cornwell, Chief Financial Officer, presented a resolution approving a tax abatement application of Matthew Culpo and Christine Thennis for property at 3 Washington Place in Helena, Montana, which is on the historical register. If granted, the abatement is expected to run from 2024-2028. Criteria has been reviewed by the Heritage Preservation and Tourism Board. The criteria has been met and the residents are current on their taxes. Staff recommends approval of the resolution.

[2:14:34] Pam Attardo, Historic Preservation, stated the abatement is incentive to build within the standards of historical districts.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Payne. The motion Passed on a 2-1 vote. Commissioner Rolfe was in opposition.

Board Appointments. (Roger Baltz)

[2:20:31] Roger Baltz, Chief Administrative Assistant, presented Board appointments to the Board of Adjustment, Human Services Task Force, Lincoln Parks Board, Lincoln Solid Waste Board, Open Lands Citizen Advisory Council, and the Tax Appeal Board and recommended approval of each appointment.

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.

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 11:35 am.

Meeting minutes approved on 8/24/23

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Tom Rolfe, Chair


Andy Hunthausen, Vice Chair


Candace Payne, Member

ATTEST:


Amy Reeves, Clerk of the Board