



## **PUBLIC MEETING**

January 12, 2023  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, January 12, 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, Casey Hayes, Jessica Makus, Dan Karlin, Kellie McBride, Sierra Anderson, Phil Gonzalez, Jenny Chambers, Ann McCauley, Alton Talley, Wally Jester, Kathy Macefield, Brian Coplin, Jillian Danesi, Anna Baker, Dave Burch, Julie Burch, Judi Johnston, Marcy Eckerson, Keith Sanders, Brandy Sanders, Josh Hamilton, Anne Murfitt, and Brandi Spangler, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Public Meeting Minutes for July 15, August 10, 17, October 21, November 30, 2021; March 15, 22, 24, October 27, November 1, 10, 15, December 13, 15, 20, 22, 27, 2022. (Brandi Spangler)

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. Sheriff's Office Mobile Emergency Command Response Vehicle. (Casey Hayes)**

Casey Hayes, Purchasing Officer, presented the bid opening for a Mobile Emergency Command Response Vehicle. There were two conforming bids. The first bid was from LDV Inc. in the amount of \$1,322,313. The second bid was from Nomad GCS in the amount of \$1,091,904.78.

Mr. Hayes explained the bid process. If the lowest bid does not meet specifications, the second lowest will be considered. If neither meet the specifications, they will reopen the call for bids.

A motion was made by Commissioner Hunthausen to accept the bids and allow staff to take bids under advisement until February 2, 2023 and seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

No public comment was received.

**Resolution 2023-06 to Create the Hahn Road Rural Improvement District, No. 2023-1. (Jessica Makus)**

Jessica Makus, Special Districts Coordinator, presented a resolution to create the Hahn Road Rural Improvement District (RID). The resolution for intention was passed on November 29, 2022, and a 30-day comment and protest period was opened, with two days added to make up for the Christmas and New Year holidays, as required by statute. Notice was sent to all property owners and legal ads were published in the Independent Record on December 4th and 11th. No protest was received. Improvements include adding gravel material where needed, paving and chip sealing, grading, watering, and compacting the existing roadway. Maintenance includes snow plowing and sanding; annual grading; gravel maintenance; asphalt apron and mailbox pullout; sweeping and chip sealing as needed; and application of magnesium chloride. The petition received was signed by 49% of the property owners. Staff recommends approval of the resolution.

Ms. Makus explained the RID process.

**PUBLIC COMMENT:**

Dave Burch, Hahn Subdivision resident, is responsible for getting the RID petition started. Improvements were made due to another subdivision and since then it was determined that it is not a county road, it is a public road, so maintenance has not been continued. Since maintenance stopped, the road is washboard with potholes. People are driving in the ditch to get around potholes. There is an issue with people speeding on the road and in the future, the signs may need to be replaced or added. He is unaware of any resident that is not in favor of the RID creation. The RID is the cheapest option.

Judy Johnston, Subdivision creator, feels that the County has not lived up to their obligations. She gave a history of Hahn Road. There were two subdivisions created with one being accessed from Montana Avenue and the other being accessed from McHugh Drive. The section in between was not built on and the County made an easement. They petitioned in 2004 that the County to abandon that part of Hahn Road and the County denied it because it would negatively impact the future of transportation opportunities. They then had to build that section of Hahn Road at their expense, and it created more traffic on the road. The final approval of the subdivision documents states road is county maintained. The County stopped maintaining the road and she feels that the County should step up and do their part. She has been encouraging traffic control on the road for a long time. She feels treated unfairly. The potholes are down to the subsurface. She wonders if road improvements will stand up to the growing traffic. She would like to see it paved. She is in favor of the RID.

Marcy Eckerson, resident, uses Hahn Road to access her property. There was a detour during some work done and the County refused to spray it because it's a private road. Upon further looking, the County called back and stated it is in fact a County Road and they sent someone out to spray it. She has concerns that she will be paying for the RID even though a lot of other traffic uses that road.

Brandy Sanders, Hahn Road resident, the neighborhood is now dangerous due to traffic and the 25 mile per hour speed limit seems like just a recommendation. She fears that when the road is improved, the traffic will get even worse. It doesn't feel like a neighborhood, it feels like a shortcut. She supports the RID, but the speed and amount of traffic needs to be addressed.

Ms. Makus explained that she met with Judy Johnston two years ago and discussed the road. The right of way was never formally adopted by the County. The RID is the only option due to the fact that is not

a county road. There are over 1,500 miles of County Roads with funds to maintain 500 of them. The RID estimates come from Calob Marguis, RID Construction Coordinator, and she feels confident in the assessment. Signage is included in the RID. Speed is regulated by statute and a process will be followed to be sure the speeds are appropriate. She encourages calls to law enforcement when speeding occurs.

Commissioner Hunthausen gave an overview of the process of prioritizing road maintenance. The County does not have to maintain all of those roads, but they want to maintain what they can. The County wants to be good partners and can explain why certain roads are maintained and not others. Traffic calming measures have been made in the past and they look for opportunities to calm traffic where it is needed.

Ms. Makus stated the criteria for the priority roads was traffic volume, bus routes, public safety with criteria applied equally. The effort is to be fair to everyone and be objective to fairly disperse those funds. The culvert on McHugh was replaced and the detour on Hahn Road did bring traffic to the road and the County graded and applied magnesium chloride to the road when the detour ended.

Mr. McNally explained how connecting roads are determined and how it effects the network of roads. They are always looking at possible connectivity to road networks for community safety.

Ms. Makus explained that the RID is looked at annually to see if any changes need to be made. She and Mr. Marquis go over the budget and take into consideration inflation in the RID. Funds are separate and can only be spent on what is in the resolution. She explained the process to change the resolution. Inflationary increases are suggested as needed without carrying a large cash balance. Assessment costs are changed accordingly. If the residents want the road paved, they can go through the process again to make that happen. She does not have a background in traffic control in the past, but speed bumps are not installed in RID's because they cause issues for maintenance.

Jenny Chambers, Public Works Director, explained that snow plowing is done several months of the year and keeping water on a road is problematic and breaks down the road. With speed bumps, plowing is challenging, and it prevents them to keep the water of the road. Structural changes do come at a cost. Homeowners may look at other options, but the cost would increase.

Judy Johnston, resident and creator of the subdivision, stated there are speed limit signs but it does not keep traffic driving at that speed. The notice does not state the RID will be revisited every year, making that document misleading.

Mary Eckerson, resident, would like to request a copy of the study that determined that Hahn Road doesn't have enough traffic and isn't used as a bus route.

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

#### **Contract Between Lewis and Clark County and ARCO Builders, Inc. (Dan Karlin)**

Dan Karlin, County Engineer, presented a contract with ARCO Builders, Inc for cast-in-place concrete work on the Valley Drive Bridge Widening Project in the amount of \$30,959. The phase I to be completed no later than March 15, 2023, and Phase II between March 28 and March 30, 2023. Phase I includes coordinating with County bridge crews who will excavate the foundation widening locations, forming, placing reinforcing steel, placing the foundation footings and stem walls, and installing custom steel connection plates. Phase II includes forming, placing steel reinforcement, and placing and finishing the concrete end diaphragm. This work is necessary in completing the Valley Drive Improvements Project. Funds come from Bridge and Road Safety and Accountability Act (BARSAA). Staff recommends approval of the contract.

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.

**Contract Agreement Between Lewis and Clark County and Good Samaritan Ministries. (Kellie McBride)**

Kellie McBride, Criminal Justice Services Director, presented a contract agreement with Good Samaritan Ministries in the amount of \$40,000 annually to provide services for operation of Our Place Drop-In Center. This will secure ongoing Certified Peer Support Specialist led community services for behavioral health programming needs. It will provide a safe, physical space for people to create new beginnings, including people who are recovering from addiction. The center has been contracted with the County since December 2019. The agreement begins upon approval though June 30, 2027. Staff recommends approval of the contract.

Alton Talley, Certified Peer Support Specialist, thanked the Commissioners and Roger Baltz for visiting Our Place. The program is essential to the community. One of the most important things in this program is giving people someone who can relate to them through their own experiences. He gave his story of recovery. In the last 6 months, the groups have expanded to two a day; teaching life skills, anger management, and changing cognitive thinking. Recovery is constant work. Eight people have been admitted into chemical dependency centers in the last seven months. They have several partners in the community to help people succeed. Most of the clients come from God's Love and have been or are currently homeless. They help with housing, mental health, addiction treatment, support groups, along with referral for programs and assistance in getting important documents. The groups have grown to 12-16 up from 3-4 per group. They were serving around 500 per month in July and today there are over 800. They work on focusing on the future. They would like to expand the program and these funds help with that vision.

Commissioner Payne visited Our Place and was impressed.

Commissioner Hunthausen gave a history of the public safety levy that helps fund this project. Our Place is the first step into getting the assistance they need. Continuum of care with several different partners has been a focus and continues to be a focus. The needs are vast.

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.

**Grant Application to Montana History Foundation. (Pam Attardo)**

Kathy Macefield, Historic Preservation Office Assistant, presented a grant application to the Montana History Foundation for the repairs to the 1872 Unionville School in the amount of \$10,000 to repair the failing northwest wall, attic rafters and rafter ties. Resident of Unionville addressed the Commission in December of 2022 with licensed contractors volunteering \$34,000 of labor and milling the lumber locally. Equipment will be donated by residents along with volunteers to assist in grant writing and repairing windows in the northwest wall. The school received a \$4,000 grant from the Montana History Foundation in 2014 that was used to re-shingle the roof and repair and improve the siding and outbuilding. The school gets regular use for activities such as weddings, live music, pot lucks, art shows, anniversaries, etc. and donations are encouraged for upkeep that is held in a fund by the County. She gave a background of the building and what it has been used for. DCI Engineers is preparing a report of work that needs to be done. Five letters of support have been received. Staff recommends approval of the grant applications.

PUBLIC COMMENT:



Anna Baker, Unionville resident, is a carpenter and organizes community activities. She is one of the community members that is committed to volunteering time to the project. She urges the Commission to support the grant application.

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

**Grant Award to Lewis and Clark County from Montana Disaster and Emergency Services. (Sierra Anderson)**

Sierra Anderson, Disaster and Emergency Services Coordinator, presented a grant award from Montana Disaster and Emergency Services in the amount of \$81,930 for the Hazardous Materials Emergency Preparedness (HMEP). Funds will support up to three Aircraft Rescue and Firefighting (ARFF) training for Montana-based emergency responders. The Helena Regional Airport Authority will be providing matching funds in the amount of no less than \$20,482.50. The grant period is October 2, 2022 through September 30, 2023. Staff recommends approval of the grant award.

No public comment was received.

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

**Interlocal Agreement Between Lewis and Clark County and the Helena Regional Airport Authority. (Sierra Anderson)**

Sierra Anderson, Disaster and Emergency Services Coordinator, presented an Interlocal Agreement with the Helena Regional Airport Authority for the administration and implementation of the Hazardous Materials Emergency Preparedness (HMEP) grant award from Montana Disaster and Emergency Services. Staff recommends approval of the interlocal agreement.

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.

**Subdivision Improvements Agreement Extension Request for Mayville Manor Subdivision. (Applicant: Richard and Diane Klinski) (Planner: Phil Gonzalez)**

Phil Gonzalez, Planner I, presented a Subdivisions Improvement Agreement (SIA) for the Mayville Manor Subdivision, which guarantees the construction of internal access roads to county standards, specifically the final chip seal. Due to development timing issues and weather conditions, the chip seal was not completed. An updated SIA draft has been submitted to financially guarantee the chip seal by January 12, 2024. Mr. Gonzalez gave a background of the subdivision. Staff recommends approval of the SIA.

Mr. Gonzalez explained that this is common practice with many scenarios arising why work cannot be completed and the request for extended time will be presented in order to give the constructors time to get the work completed.

Mr. McNally explained how they be sure the bond does not expire before the work is completed. There are some mechanisms in place to ensure the approaching dates are well known. There are financial guarantees through cashiers checks and bonds that ensure the work can be paid for.

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 10:56 a.m.

Meeting minutes approved on 01/31/2023

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Tom Rolfe, Chair

  
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Andy Hunthausen, Vice Chair

  
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Candace Payne, Member

ATTEST:

  
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Amy Reeves, Clerk of the Board