



PUBLIC MEETING

November 2, 2023

MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, November 2, 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, Jenny Chambers, Nicho Hash, Jessica Makus, Kathy Moore, Lindsay Morgan, Sarah Sandau, Keegan Shea, Chris Weiss, Jolene Jennings, Kevin Horne, David Brown, Margaret Brown, Owen Brown, Kathy Mern, Jonathan Motl, Dustin Noel, and Nadine McCarty, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Proclamation Supporting Operation Green Light for Veterans.

[01:42] Commissioner Rolfe read the proclamation supporting Operation Green Light for veterans and declaring November 6 through November 12, 2023, a time to salute and honor the men and women in uniform transitioning from active service.

Consent Action Items

There were no consent action items.

Bid Opening. One New Backhoe. (Jenny Chambers)

[05:47] Jenny Chambers, Public Works Director, presented the bid opening for one new backhoe to be used by the Bridge Division. Two bids were received. The first bid is from Tractor & Equipment Co. of Helena, Montana for a CAT Model 420, year 2023 or newer. The bid is for \$149,500 with three additive alternatives: full comprehensive coverage for \$4,500, clam shell bucket \$7,600, hydraulic quick coupler system with a fork attachment \$4,427. The last bid is from RDO Equipment Co. of Missoula, Montana for a John Deere Model 320P, year 2024 with a delivery date of 120 days after the bid award. A base bid of \$137,000 with three additive alternatives: full comprehensive coverage for \$11,400, multipurpose clam shell bucket for \$5,642.51, hydraulic quick coupler system with a fork attachment \$9,172.24.

No public comment was received.

A motion was made by Commissioner Hunthausen for staff to take the bids under advisement and make a recommendation to the Commission on November 16, 2023. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Resolution 2023-98. To Create the Juniper Stable Rural Improvement District, No. 2023-3.
(Jessica Makus)

[12:16] Jessica Makus, Special Districts Program Coordinator, presented the resolution to create the Juniper Stable Rural Improvement District (RID). The area is located just east of the Frontage Road and south of the Pleasant Valley and Grass-Lands subdivisions. On September 19, 2023, the Commission approved the resolution of intention to create the district. There are 33 benefiting properties within the proposed district, of which 63% petitioned for the creation of the district. The road department has regularly maintained Juniper Drive and Stable Road. Due to growth increase, more roads, and increased costs to maintain the roads, the County developed criteria for a funding road prioritization system and in 2020 the Commission approved the criteria. As a result of the scoring, Public Works Department identified roads that have been regularly maintained by the county. Staff recommends approval of the resolution.

Ms. Makus added core samples were taken from the road to determine the makeup of the surface. It was determined to be a 3-inch asphalt mat. Financing of the improvements is estimated to total \$321,956.

Protest letters were mentioned.

Ms. Makus explained statutes allow for equal assessment per property. Commissioner Payne would like to take a different look at the properties to the east. Roads are not used as much, being it is an agricultural use.

Discussion occurred -

PUBLIC COMMENT -

Jonathan Motl, property owner, pointed out where Juniper Drive roadbed ends and added he has no problem with the assessment.

David Brown, property owner with grazing land and wildlife habitat, is in opposition of the RID, he is not opposed to the annual maintenance fee of \$295. It was mentioned that Public Works has been working with property owners for the last two years and a phone call regarding the notice of the proposed district is the first time he ever heard from the department. He read his opposition letter that was previously submitted. David thinks they are in a rural development and wonders what system will be used to monitor the new users of the roads. They would be happy with a gravel road.

Owen Brown, property owner, stated he doesn't feel property owners can be assessed different values depending on the usage. He supports the RID assessments. Notice was sent to property owners in 2021 regarding the meetings.

Steve Clinch, lives at the end of Juniper Drive, stated he was notified of the meeting from a letter from the county. Since that time, they have met six times or more. He pointed out that there must be a covenant in place, to protect the land for the future.

David Brown, remote property owner, pointed out their property boundary is adjacent to the fishing access site for the Fish and Game Department. He did not see the notice for the public meeting.

Ms. Makus stated the road ending is a map issue and the intent is to maintain the existing road. The County does provide snowplowing service and pothole filling if possible. Ms. Makus explained the cost difference of hard surface and gravel maintenance. She explained the RID public notice, creation, and maintenance processes. During the 2021 initial meetings, only property owners were notified. Ms. Makus explained if any changes were to occur at this point the process would have to start over again with a new resolution of intention. There was discussion of the possibility of new users of the road.

Greg McNally, Planning Department, explained the zoning in the district.

David Brown discussed the 2004 County Growth Plan and Mr. McNally stated the growth policy for the valley was created in 2016.

Owen Brown stated he would encourage everyone to look at the road condition. The potholes were patched in June and today it looks like a mud pit.

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

Grant Award to Lewis and Clark County from the Montana Department of Transportation. (Chris Weiss)

[01:45:53] Chris Weiss, presented the grant award from the Montana Department of Transportation in the amount of \$15,000 to provide reimbursement for overtime costs incurred by deputies working DUI traffic shifts. The grant period is October 1, 2023, through September 30, 2024. Staff recommends approval of the grant award.

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 Award to Lewis and Clark Public Health from the Bureau of Justice Administration (Sarah Sandau)

[01:48:19] Sarah Sandau, Community Health Promotion Division Administrator, presented the grant award from the Bureau of Justice Administration for the Connect and Protect: Law Enforcement Behavioral Health Response Program in the amount of \$549,976 to help fund the Mobile Crisis Response Team. Staff recommends approval of the grant award.

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 Award to Lewis and Clark County from the Central Service Area Authority. (Sarah Sandau)

[01:54:21] Sarah Sandau, Community Health Promotion Division Administrator, presented the grant award from the Central Service Area Authority for the distribution of funds to each active Local Advisory Council in the amount of \$2,400. The staff recommends acceptance of the grant award.

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 the United States Environmental Protection Agency. (Kathy Moore)

[01:57:47] Kathy Moore, Environmental Services Administrator, presented the grant application to the United States Environmental Protection Agency (EPA) to perform work for the East Helena Area Superfund site. The award will be in the amount of \$1.3 million over the next five years. The grant period begins January 1, 2024, through December 31, 2028. Ms. Moore gave a history of the East Helena Superfund site project. Staff recommends approval of the grant application submittal.

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 Between Lewis and Clark County and Sno. Engineering, Inc. (Lindsay A. Morgan)

[02:14:45] Lindsay Morgan, Planner III, presented the contract with Sno. Engineering, Inc. d/b/a SE Group in the amount of \$153,950 to provide a comprehensive update to the Lewis and Clark County Growth Policy. Staff recommends approval of the contract.

Ms. Morgan explained the project will be completed in four phases.

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 11:22 am.

Meeting minutes approved on 2-29-24

BOARD OF COMMISSIONERS
LEWIS AND CLARK COUNTY


Andy Hunthausen, Chair


Candace Payne, Vice Chair


Tom Rolfe, Member

ATTEST:


Amy Reeves, Clerk of the Board