



PUBLIC MEETING

June 13, 2024
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, June 13, 2024, at 9:00 AM in Commission Chambers, Rm 330.

Roll Call

Chair Andy Hunthausen called the meeting to order at 9 a.m.

Commissioner Candace Payne and Commissioner Tom Rolfe were present. Others attending all or a portion of the meeting included Kari DesRosier, Nicho Hash, Keegan Shea, Shawn Jackson, Dale Brackman, Glenn Arlint, Kathie Arlint, Jessica Makus, Misty Edwards, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Contract Between Lewis and Clark County and MJC Property Maintenance, LLC. (Jessica Makus)

[1:25] Jessica Makus, Special Districts Coordinator, presented a contract with MJC Property Maintenance, LLC for maintenance in open space, grasslands, common use areas, parklands, fire easements, and drainage easements within various rural improvement districts. The contract will begin upon approval and be renewed yearly, not to exceed three years. Compensation is based on hourly rates which will be negotiated prior to the start of each season. Staff recommends approval of the contract.

No public comment was received.

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

Resolution 2024-47 to Levy and Assess the Lanning Rural Improvement District No. 1991-4. (Jessica Makus)

[06:21] Jessica Makus, Special Districts Program Coordinator, presented a resolution to levy and assess the Lanning Rural Improvement District for \$155.85 upon each benefiting property. With a total of 28 benefiting properties, total annual assessment is \$4,363.80. A public meeting was held on March 13, 2024 with 11 attendees. Legal notice was sent to all property owners and published in the Helena Independent Record. As of June 12, no public testimony was received. Staff recommends approval of the resolution.

PUBLIC COMMENT:

[9:03] Dale Brackman, 3232 Grandview, land also borders Lanning Road and he pays for both roads. He feels there is lack of foresight and does not feel that the administrative fee is fair. The increase should be proposed every year instead of 120% all at once. Traffic has picked up to 70-80 cars a day instead of 8 cars a day, since Lanning was used for a detour when Valley Drive was under construction. There will be a class action lawsuit if Trerise is not closed. It is not a legal road and people are now using it as a through road. He feels they need to be compensated for the traffic caused by the detour.

[19:45] Glenn Arlint, Lanning Road resident, stated it never gets plowed. He called once to get it plowed but they didn't plow properly, leaving 4 inches of snow on the road. He does not feel the increase costs that much to maintain the roads. Is not supportive of the increase.

[22:00] Ms. Makus stated the need for more snow removal was discussed during the meeting on March 13, 2024 and discussed lowering the trigger point for plowing. It is not anticipated to have an increase for the next couple of years. They will be assessed every year as per statute requirement. Chip sealing should be completed in 2027, but the prices have doubled and there will be a shortfall for that schedule if this increase is not approved. Administrative fees were \$103 with the prior assessment and now will go up to \$218 annually. It is capped at \$500. Trerise Road was extended, and traffic is likely coming from that subdivision South of Trerise. Trerise is not a private road, these are roads open to the public. Improvement work was completed after the detour on Westview, including gravel and grading, and was left in better condition.

Discussion was held regarding whether the County has any responsibility to contribute to the RID fund due to the detour. It was decided that the issue be discussed with Public Works staff. Commissioner Rolfe suggested making a change to the increase to \$130 for now.

Nicho Hash stated the board can decide on less than what is proposed. That decision cannot be made today but can be discussed further. Staff does a good job suggesting the budget for the RIDs. The County addressed the impacts on the roads after the detour by fixing Westview and examining Grandview and Lanning.

Ms. Makus pointed out this is the amount needed for inflation. If the assessment is reduced, there will be a shortfall for the 2027 chip seal cycle. If there is shortfall, the only option is to then take out a loan which should be avoided due to interest.

Commissioner Rolfe made a motion to table the decision to June 25, 2024 and reopen public comment. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Resolution 2024-48 to Levy and Assess the Grandview Rural Improvement District No. 1991-2. (Jessica Makus)

[1:06:45] Jessica Makus, Special Districts Program Coordinator, presented a resolution to levy and assess the Grandview Road Rural Improvement District for \$144.15 upon each benefiting property. With a total of 31 benefiting properties, total annual assessment is \$4,468.65. A public meeting was held on March 13, 2024 with 11 attendees. Legal notice was sent to all

property owners and published in the Helena Independent Record. As of June 12, 2024 no public testimony was received. Staff recommends approval of the resolution.

PUBLIC COMMENT:

[1:11:10] Dale Brackman, 3232 Grandview, Trerise is 60 feet wide and a fence covers 50% of the end of Westview so it's only a 30 foot section on that part of the road and he feels that needs to be addressed. The residents on Westview don't pay for the RID.

[1:17:58] Shawn Jackson, 3225 Grandview, he supports the increase but feels that there has been a lack of work done. Snow removal is not done until late in the day and is his biggest concern. Slush and ruts freezing is an issue and causes public safety concerns. Grandview loop beyond Westview does not get any plowing done and the crack seal that was done a couple weeks ago ended at Westview. Sand sweeping does not get done. He wants to know who the contractor is.

[25:37] Kathie Arlint, 3270 Grandview Road, in her opinion there was damage done to Grandview where Westview meets it by the mailboxes due to the detour. She would like to make sure the money is there for the chip seal cycle.

[1:27:28] Dale Brackman, 3232 Grandview, states the corner from Westview to Grandview is deteriorated. The road was swept there but they did the minimum sweeping possible. He requested the contractor come back and sweep the apron. They refused to come back because they had already left the area.

[1:30:10] Ms. Makus explained the account and spending summary is part of public record and digital file can be sent upon request. There is no surplus, there is a little left in each account for contingency. Frost heaves is one contingency as they develop depending on what is under the chip seal. They will go look at Grandview loop and look for unresolved work. Westview is not part of the RID. Calob Marquis drives through the County to compare snowfall throughout the County. A contractor comes to plow when the trigger point, which is determined by snow inches, is met. Unfortunately, with contractors, RIDs are not first priority for snow removal. Each year, there are fewer contractors that are interested in removing snow in the RIDs. There will be a 3-inch trigger point moving forward. Feedback and calls are welcomed, as Calob is the only one who looks at the work for the RIDs and every mile can't be checked.

Commissioner Rolfe made a motion to table to June 25, 2024 and to keep public comment open. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Resolution 2024-49 Intent to Increase the Solid Waste Disposal Fee as Recommended by the Lincoln Solid Waste District. (Misty Edwards)

[145:24] Misty Edwards, Senior Finance Coordinator, presented a resolution of intent to increase the Lincoln Solid Waste assessment to \$144. A public hearing will be held June 27, 2024 during the regularly scheduled public meeting. All other fees at the container site will remain the same. Staff recommends approval of the resolution.

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.

Resolution 2024-50 Intent to Transfer Real Property From Lewis and Clark County to the City of Helena. (Misty Edwards)

[1:48:55] Misty Edwards, Senior Finance Coordinator, presented a resolution of intent to transfer real property to the City of Helena. Lewis and Clark County has no need for the property that abuts Mount Helena City Park. The City of Helena intends on adding the property to Mount Helena City Park and maintaining it as open space. A public hearing will be held June 27, 2024 during the regularly scheduled public meeting. Staff recommends approval of the resolution.

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.

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 10:52am.

Meeting minutes approved on 6-27-24

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair



Candace Payne, Vice Chair



Tom Rolfe, Member

ATTEST:



Amy Reeves, Clerk of the Board