



## **PUBLIC MEETING**

October 3, 2024  
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, October 3, 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 Roger Baltz, Nicho Hash, Keegan Shea, Dan Karlin, Jessica Makus, Laurel Riek, Ann McCauley, Connor Fitzpatrick, Rachel Ward, Greg McNally, Jennifer McBroom, James Mitchell, Michelle Mitchell, and Brandi Spangler, Recording Secretary.

### **Pledge of Allegiance**

Everyone recited the pledge.

### **Consent Action Items**

- a. Public Meeting Minutes for September 3, 5, 12, 19, 24, 2024. (Brandi Spangler)

[1:14] 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 Payne and seconded by Commissioner Rolfe. The motion Passed on a 3-0 vote.

### **Bid Award. Lower D2 Ditch Flood Mitigation Project. (Dan Karlin)**

[2:07] Dan Karlin, County Engineer, presented a bid award for the Lower D2 Ditch Flood Mitigation Project to the low bidder, Vossler Excavating, Inc. of Jefferson City, Montana for \$553,148.10. Staff recommends approval of the bid award.

No public comment was received.

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

**Resolution 2024-108 Relating to \$43,609.72 Bond for the Lewis and Clark County (Jeanne Road) Rural Improvement District No. 2023-2; Fixing the Form and Details and Providing for the Execution and Delivery Thereof and Security Therefor. (Jessica Makus)**

[15:00] Jessica Makus, Special Districts Coordinator, presented a resolution relating to \$43,609.72 bond for the Jeanne Road Rural Improvement District (RID) improvements, authorizing participation in the State of Montana INTERCAP Loan Program. Staff recommends approval of the resolution.

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.

**Grant Task Order 24-07-7-11-157-0 Amendment No. 1 Between Lewis and Clark County and Montana Department of Public Health and Human Services. (Laurel Riek)**

[21:50] Laurel Riek, Environmental Health and Disease Prevention Division Administrator, presented a grant task order amendment with the Montana Department of Public Health and Human Services (DPHHS) to add an additional \$58,610.40 and to extend the task order through September 29, 2025. Staff recommends approval of the grant task order amendments.

No public comment was received.

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

**Interagency Memorandum of Understanding Between Lewis and Clark County and Lewis and Clark Water Quality Protection District. (Ann McCauley)**

[28:22] Ann McCauley, Grants and Purchasing Director, presented an Interagency Memorandum of Understanding (MOU) with Lewis and Clark Water Quality Protection District for implementation of the American Rescue Plan Act (ARPA) award through December 31, 2026. Staff recommends approval of the MOU.

No public comment was received.

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

**Amendment No. 1 to Subrecipient Agreement Between Lewis and Clark County and Augusta American Legion Post No. 51. (Ann McCauley)**

[34:05] Ann McCauley, Grants and Purchasing Director, presented an amendment to the Local Assistance and Tribal Consistency Fund (LATCF) subrecipient agreement with Augusta American Legion Post No. 51 for the Augusta Rodeo Grounds Electrical Upgrades project. The amendment extends the period of performance to December 31, 2025.

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.

**Grant Application to the Secretary of State's Office. (Connor Fitzpatrick)**

[38:19] Connor Fitzpatrick, Elections Supervisor, presented a grant application to the Secretary of State's Office for the Help America Vote Act (HAVA) in the amount of \$40,912 to pay current Lewis and Clark County and City of Helena employees to assist with the election. Staff recommends approval of the grant application.

No public comment was received.

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

**Preliminary Plat Application for Drop Tine Meadows Subdivision, SUBD2024-1. (Tabled 9-26-24)**  
**(Applicant: James & Michelle Mitchell) (Planner: Rachel Ward)**

[45:43] Rachel Ward, Planner II, presented the preliminary plat application and variance requests for Drop Tine Meadows Subdivision. Staff recommends approval of the preliminary plat application.

[55:25] Greg McNally, Community Planning and Development Director, confirmed that discussion is developing with the fire community about looking at more regional systems for fire suppression systems which will ultimately cross main collector roads. Fire Chief in the East Valley supports use of this system.

No public comment was received.

Commissioner Rolfe made a global motion to conditionally approve the preliminary plat application and was seconded by Commissioner Payne.

[1:00:08] Commissioner Hunthausen reviewed the Findings of Fact related to the variance request to not extend road connections to the properties to the East and West, as there is current access.

Commissioner Rolfe made a motion to adopt the Findings of Fact and was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

[1:06:00] Commissioner Hunthausen reviewed the Conclusions related to the variance request.

Commissioner Rolfe made a motion to accept the Conclusions and was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Commissioner Rolfe made a motion to approve the variance request and was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Commissioner Rolfe made a motion to approve the variance request to travel on arterial and major collector road to deliver water from off-site water supply system and was seconded by Commissioner Payne.

[1:12:15] Commissioner Hunthausen reviewed the Findings of Fact related to the variance request and adding that this variance is under review under the subdivision regulations with the fire community.

Commissioner Rolfe made a motion to accept the Findings of Fact including the added Finding of Fact. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

[1:20:08] Commissioner Hunthausen reviewed the Conclusions related to the variance request.

Commissioner Rolfe made a motion to accept the Conclusions and was seconded to Commissioner Payne. The motion Passed on a 3-0 vote.

Commissioner Hunthausen noted the motion on the table is to approve the variance request. The motion Passed on 3-0 vote.

[1:27:48] Commissioner Hunthausen reviewed the Findings of Fact and Conclusions, relating to the overall subdivision.

Commissioner Rolfe made a motion to adopt the Findings of Facts and Conclusions, including the approval of the variance requests. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

[2:06:54] Commissioner Hunthausen and Ms. Ward reviewed the Conditions of Approval.

[2:18:07] James Mitchell, applicant, has reviewed the conditions of approval.

Commissioner Payne made a motion to adopt the conclusion that the subdivision will have adverse effects on the impact criteria that can be mitigated through the Conditions of Approval. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Commissioner Rolfe made a motion to accept the Conditions of Approval and was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Commissioner Hunthausen noted there is a global motion on the table to approve the conditional preliminary plat. 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 11:27am.

Meeting minutes approved on 10-17-24

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair



Candace Payne, Vice Chair



Tom Rolfe, Member

ATTEST:



Amy Reeves, Clerk of the Board