



PUBLIC MEETING

September 19, 2024
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, September 19, 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, Drenda Niemann, Calob Marquis, Misty Edwards, Rachal Ward, Greg McNally, Ann McCauley, Sherri Jones, Kevin Wright, Betsy Kirkeby, Kim Smith, Mike Fasbender, Jason Sorenson, Nadine McCarty, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Celebrating Voter Registration Week.

[2:00] Sherri Jones, League of Women Voters, read a proclamation celebrating voter registration week and reminded the public to update their voter status.

No public comment was received.

Consent Action Items

- a. Resolution 2024-103 Declaring County Property Surplus Property. (Audra Zacherl)
- b. Resolution 2024-104 Declaring County Property Surplus Property. (Audra Zacherl)
- c. Fiscal Year 2025 Memorandum of Understanding Between Lewis and Clark County and Montana Stockgrowers Association. (Misty Edwards)
- d. Fiscal Year 2025 Memorandum of Understanding Between Lewis and Clark County and Montana Wool Growers Association. (Misty Edwards)
- e. Fiscal Year 2025 Equitable Sharing Agreement and Certification. (Sherri Martin)
- f. Letter of Support for City of Helena Grant Application to the Federal Railroad Administration. (Ann McCauley)

[4:46] Roger Baltz, Chief Administrative Officer, reported on consent action items 2a-f 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 Opening. Lower D2 Ditch Flood Mitigation Project. (Dan Karlin)

[6:56] Dan Karlin, County Engineer, opened bids for the D2 Ditch Flood Mitigation Project. Seven bids were received. The first bid was from Montana Civil Contractors of Belgrade, Montana with a base bid in the amount of \$725,000 with additive alternate number one of \$113,900 and additive alternate number two of \$85,900. The second bid was from CK May Excavating of Belgrade, Montana with a base bid in the amount of \$836,000 with additive alternate number one of \$166,900 and additive alternate number two of \$146,900. The third bid was from Helena Sand and Gravel of Helena, Montana with a base bid in the amount of \$960,000 with additive alternate number one of \$178,500 and additive alternate number two of \$147,000. The fourth bid was from Vossler Excavating Inc. of Jefferson City, Montana with a base bid in the amount of \$553,148.10 with additive alternate number one of \$70,730 and additive alternate number two of \$80,730. The fifth bid was from Gregori Construction Inc. of Mims, Florida with a base bid in the amount of \$1,348,500 with additive alternate number one of \$268,500 and additive alternate number two of \$213,500. The sixth bid was from Bullock Contracting of Boulder, Montana with a base bid in the amount of \$599,865 with additive alternate number one of \$118,015 and additive alternate number two of \$82,000. The final bid was from Missouri River Contractors of Helena, Montana with a base bid in the amount of \$774,189 with additive alternate number one of \$120,554 and additive alternate number two of \$89,034. Staff recommends taking the bids under advisement and coming back with a recommendation on October 3, 2024.

No public comment was received.

Commissioner Rolfe made a motion for staff to take the bids under advisement and come back with a recommendation on October 3, 2024. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

Grant Award to Lewis and Clark Public Health from the Montana Public Health Institute. (Drenda Niemann)

[20:05] Drenda Niemann, Public Health Officer, presented a grant award from Montana Public Health Institute for implementation of opioid overdose interventions in the amount of \$9,876.25. The grant period is September 30, 2024 through November 30, 2024. 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 Rolfe. The motion Passed on a 3-0 vote.

Bid Award. RID Overlays. (Calob Marquis)

[23:31] Calob Marquis, RID Construction Coordinator, presented a bid award for the Rural Improvement Districts (RID) overlays. Staff recommends awarding the contract to the low bidder, Helena Sand and Gravel in the amount of \$268,183.45.

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 2024-102 to Levy and Assess the Ryann's Lane Rural Improvement District No. 2024-6. (Calob Marquis)

[27:03] Calob Marquis, RID Construction Coordinator, presented a resolution to levy and assess the Ryann's Lane Rural Improvement District (RID) for a special assessment of \$715 for a 15-year debt service for improvements with an additional \$260 annually for maintenance. Legal notice was sent to all property owners and published in the Helena Independent Record. No public protest was received. 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.

Resolution 2024-105 Levying an Assessment Upon Customers of the Lincoln Solid Waste Management District Who Own Personal Property in the District and Owe an Unpaid Pay-As-You-Throw Charge for FY2024. (Misty Edwards)

[33:20] Misty Edwards, Senior Finance Coordinator, presented a resolution to levy an assessment on tax bills for the Lincoln Solid Waste District customers who own personal property and owe unpaid charges. Staff recommends approval of the resolution.

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 2024-106 Levying an Assessment Upon Customers of the Lincoln Solid Waste Management District Who Own Real Property in the District and Owe an Unpaid Pay-As-You-Throw Charge for FY2024. (Misty Edwards)

[36:12] Misty Edwards, Senior Finance Coordinator, presented a resolution to levy an assessment on tax bills for the Lincoln Solid Waste District customers who own real property and owe unpaid charges. 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.

Request to Proceed with Modification of Condition of Approval for the Arrowsmith Subdivision.(Planner: Rachel Ward) (Applicant: Kim Smith)

[38:12] Greg McNally, Community Development and Planning Director, presented a request to proceed with modification of Conditions of Approval for the Arrowsmith Subdivision. The request is to excuse the allowance Espelin Drive to be expanded to a three-lane approach. Comments from the Montana Department of Transportation stated they would prefer the approach remain a two-lane approach rather than expanded as required by the Conditions

of Approval. Staff recommends the applicant be allowed to proceed with the application submission.

[42:30] Applicant, Kim Smith, 7510 Applegate, explained the reasoning for his request.

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.

Request to Proceed with Modification of Condition of Approval for the Coppersmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[45:58] Greg McNally, Community Development and Planning Director, presented a request to proceed with modification of Conditions of Approval for the Coppersmith Subdivision. The request is to excuse the allowance of Espelin Drive to be expanded to a three-lane approach. Comments from the Montana Department of Transportation stated they would prefer the approach remain a two-lane approach rather than expanded as required by the Conditions of Approval. Staff recommends the applicant be allowed to proceed with the application submission.

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.

Request to Proceed with Modification of Condition of Approval for the Blacksmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[48:25] Greg McNally, Community Development and Planning Director, presented a request to proceed with modification of Conditions of Approval for the Blacksmith Subdivision. The request is to excuse the allowance of Espelin Drive to be expanded to a three-lane approach. Comments from the Montana Department of Transportation stated they would prefer the approach remain a two-lane approach rather than expanded as required by the Conditions of Approval. Staff recommends the applicant be allowed to proceed with the application submission.

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.

Agreement to Extend Preliminary Subdivision Approval for the Fasbender Minor Subdivision. (Applicant: Mike Fasbender) (Planner: Greg McNally)

[0:51:56] Greg McNally, Community Planning and Development Director, presented a preliminary approval extension request for Fasbender Minor Subdivision until September 22, 2025. He added if approved that would extend this project for a total of nine years. Staff recommends approval of the extension request.

[1:24:16] Mike Fasbender, 3930 Buoy Blvd. stated the conditions of approval are ready for submission, except for the DEQ approval. He added he is meeting with Planning regarding a possible zoning violation by relocation of the cars. A six-month extension would not give enough time.

[1:37:52] Nicho Hash, Deputy County Attorney explained there are certain risks and liabilities for the county with no review criteria listed in the subdivision regulations that would give a base for a denial decision.

No public comment was received.

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

Board Appointments. (Roger Baltz)

[1:49:28] Roger Baltz, Chief Administrative Officer, presented board appointments for the City-County Parks Board; staff recommends that the Commissioners consider the candidates for the City-County Parks Board to second terms that expire October 1, 2027.

No public comment was received.

Commissioner Rolfe made a motion to reappoint Alex Tommerup and Jerry Blythe to the City-County Parks Board. The motion was seconded by Commissioner Payne. The motion Passed on a 3-0 vote.

[1:51:07] Mr. Baltz presented the board appointments for the Consolidated City and County Planning Board; staff recommends that the Commissioners consider the candidates for the Consolidated City and County Planning Board to second terms that expire September 1, 2027.

No public comment was received.

Commissioner Payne made a motion to reappoint Adrienne Cotton and James Sonntag to the Consolidated City and County Planning Board. The motion was seconded by Commissioner Rolfe. The motion Passed on a 3-0 vote.

[1:52:17] Mr. Baltz presented the board appointment for the Lewis and Clark County DUI Task Force; staff recommends that the Commissioners consider the only candidate for the Lewis and Clark County DUI Task Force to a term that will expire December 31, 2025.

No public comment was received.

Commissioner Rolfe made a motion to appoint Jay Nelson to the Lewis and Clark County DUI Task Force. The motion was 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 10:53 am.

Meeting minutes approved on 10-3-24

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chair


Candace Payne, Vice Chair


Tom Rolfe, Member

ATTEST:


Amy Reeves, Clerk of the Board