

**PUBLIC MEETING
February 12, 2009
MINUTES**

Chairman Andy Hunthausen called the meeting to order at 9:00 a.m. Commissioners Mike Murray and Derek Brown were present. Others attending all or a portion of the meeting included Ron Alles, Jeff Sealey, Frank Rives, Jeff Driessen, Sheri Downing, Liz Moore, Jeff Miller, Fire Chief Jerry Shepherd, Sharon Haugen, Art Pembroke, Lindsay Morgan, Laura Erikson, Mike O'Neil, Terri Losey, Gayla Lott, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. Ron Alles pulled item "a" for discussion. Staff reported on item "b" and recommended approval.

- a. Resolution 2009-18 Establishing the 2009-2010 Fire Season for Lewis and Clark County. (continued from 2/5/09)
- b. Board Appointment. Lewis and Clark County DUI Task Force – Eric Gilbertson

No public comment was received on item "b."

Commissioner Murray move approval of item "b" on the consent action items. Commissioner Brown seconded the motion. The motion carried 3-0.

Consent Action Item "a." Ron Alles reported that this year the county is looking to create a web site and a web-based application process for burn permitting. Approximately \$28,000 would be needed to create the program. The program is supported by the fire community. The cost of the burn permit is \$10.00.

Commissioner Murray noted that the resolution included a designation of authority to the sheriff to work with state and local fire officials to declare no burn days in the county. March 2nd is the official start of burning.

Commissioner Brown stated that the additional cost to the county with the new computerized program provides a more efficient system.

Chief Jerry Shepherd thanked the commission for supporting this burn permit system.

Public comments -

Jeff Driessen, 273 North Hill Road, hoped that the money raised would go back to the fire departments.

Art Pembroke, IT Director, said the web site will be an interactive system and explained the capabilities of the program.

No other public comments were received.

Commissioner Brown moved approval of the resolution and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Amended Plat of Lot 14A - Lowe Tracts Subdivision (Extension of Subdivision Improvements Agreement from 2-12-09 to 2-12-10???) (Applicants: Ben & Patti Lesofski) (Planner: Lindsay Morgan) The Commissioners will consider the request to extend the Subdivision Improvements Agreement to February 12, 2009. The property is legally described as lying in the NE¼ of Section 12, T10N, R3W, Lewis and Clark County, Montana.

Lindsay Morgan reported that the applicants have requested an extension of their subdivision improvements agreement until June 15th of this year. The amount of security for this agreement would be \$10,375.00. The applicants have demonstrated due diligence in completing the conditions of approval for the subdivision. A few road improvements to Pioneer Park Drive need to be completed to meet that condition of approval.

No public comments were received.

Commissioner Brown moved approval of the extension request and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Public Hearing. Proposed Purchase of the Shadow Mountain Property (located at 2525 Ferndale Lane) by Rocky Mountain Development Council. (Laura Erikson and Jeff Miller- RMDC) The Commissioners will conduct a public hearing to solicit public input on the proposal. The property has 36 rental units that are rented as affordable housing to low income families. Lewis and Clark County would partner with RMDC on this project and apply for a \$500,000 HOME grant to be used for acquisition, immediate capital needs, and refinancing fees associated with the sale.

Laura Erikson reported that RMDC was intending to purchase said property. Unfortunately, before they were able to undergo negotiations with the seller it was sold to someone else. This is no longer a topic for discussion or public hearing.

Public Hearing. Application for Neighborhood Stabilization Program (NSP). (Laura Erikson, Jeff Miller-RMDC). The Commissioners may consider making application for Neighborhood Stabilization Program (NSP) funding which is allocated to Montana by HUD. Statewide the appropriation is in the range of \$19.6 million and a portion of that funding could be allocated to Lewis and Clark County. The funding was authorized by the Housing and Economic Recovery Act of 2008 and is to be used at the local level as an adjunct to CDBG Programs and in particular, to address local housing issues resulting from the national housing financial crisis.

Jeff Miller, RMDC, Director of Community Development. This program was created by the passage in July 2008 of the Housing and Economic Recovery Act. It was intended to address a number of issues on a nationwide basis related to the housing crisis. Specific criteria in that bill were reviewed. Montana was allocated 19.6 million dollars. This hearing would begin a public discussion of how those funds perhaps could best be deployed and used effectively in Lewis and Clark County. HUD criteria states once an application is approved, the money must be obligated within 18 months. These expenditures need to benefit low to moderate to middle income folks. In 2008 Lewis and Clark was identified as having 89 notice of trustee sales. CDBG has proposed a very streamlined application process to move this forward. Foreclosure prevention is an issue that is being addressed by the non-profit community throughout the state. Mr. Miller was not sure NSP funds could be used for that purpose but confident that it can be structured in getting someone back into that property and help them stay there.

Public hearing -

Michael O'Neil, 621 Hillside, was present representing the Montana Home Choice Coalition and Aware Inc. Supported the proposal and encouraged Lewis and Clark County to work with other counties to form a statewide or regional effort to streamline the administration of the homeownership side of this process.

Sharon Haugen, Director of Community Development for the City of Helena, encouraged continued discussion on the NSP funds and to work with Rocky and the City of Helena in finding the best uses possible for this NSP money so that it can benefit all the citizens of Lewis and Clark County. First time homebuyer program and credit counseling classes are available and encourages people and takes them through some of those credit issues. Down payment and closing cost assistance program are also available for potential buyers.

Jeff Driessen, 273 North Hill Road, member of the HBIA Board of Directors. The Helena Building Industry Association has a helping hands group that offers free labor for some rehabilitation.

No other public testimony was received. The Commissioners gave their full support to move this process forward.

Public Hearing. Application for A HOME Grant to provide Tenant Based Rental Assistance. (Laura Erikson, Jeff Miller-RMDC). The Commissioners may consider a resolution authorizing submission of an application for HOME funds to provide Tenant Based Rental Assistance to very low and low income households in the county. This program operates similarly to HUD's Section 8 Rental Subsidy Program and would be potentially available to families / households that have special needs, require rent subsidy and are not able to get Section 8 assistance, or need assistance in making security deposits as a means of accessing decent housing.

Laura Erikson reported that the application is in progress and introduced Liz Moore with

Rocky Mountain Development Council to describe the tenant based rental assistance program.

Liz Moore stated that Rocky is asking the county to support submitting a county grant for HOME funds in the amount of \$249,503.00 that will be used to subsidize rental properties for individuals who are up to 60% of the area main income. The bulk of the funding would be used for 36 rental certificates and 20 certificates would be available for security and utility deposit assistance. Other spectrums of the grant were reviewed. RMDC would be the sub recipient and administer the grant.

Public hearing –

Michael O'Neil, 621 Hillsdale. Representing the Montana Home Choice Coalition and Aware Inc., spoke in support of the HOME grant application and support of tenant based rental assistance. Research shows that tenant based rental assistance is one of the key pieces of preventing and shorting homelessness.

Terri Losey, Lewis and Clark County Health Care for the Homeless Program. Supported efforts to create more affordable and more easily accessed housing in Helena.

Sharon Haugen, Community Development Director for the City of Helena. The TBRA program is an extremely administratively intensive program, with not a lot of money associated with it, but it represents a very important tool in this community to assist the homeless and maybe soon to be homeless. The program targets not only people in the City of Helena but all the citizens of Lewis and Clark County. The city stands ready to assist Rocky and the county if they are successful in this application.

Sheri Downing, Coordinator for the Governor's Council on Homelessness and is Co-chair of the Helena Action Coalition for the Homeless. This is a critical need and may help leverage additional funds through SAMHSA and other programs to begin addressing homelessness in Helena.

Jeff Driessen 273 North Hill Road. Supported the proposal.

Ron Alles said that while staff is preparing this application for submittal, the county may need to review and amend its procurement policy to make sure it will be compliant with the HUD policy.

Liz Moore, RMDC mentioned that there is zero administrative dollars attached to the TBRA grant, and there are no soft costs. RMDC is submitting a letter of commitment to provide the 5% cash match. Rocky also supported the grant with approximately \$48,000 of administrative match.

Michael O'Neil, 621 Hillsdale. Representing the Montana Home Choice Coalition and Aware Inc. Unique to the program, TBRA allows for both a rental security deposit and

utility deposit. He encouraged the commission to get involved in efforts on a statewide basis at the legislature to fund affordable housing.

No other public testimony was received.

Commissioner Murray moved approval of the resolution to authorize submission of the HOME grant and authorized the Chair to sign with a contingency that the HUD issues are worked out. Commission Brown seconded the motion. The motion carried 3-0.

Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above.

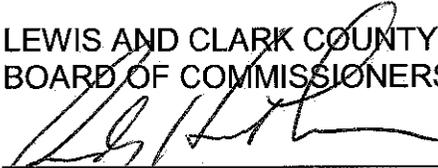
1. Jeff Driessen, 273 North Hill Road. Discussed a language issue to an encroachment application that makes properties unable to be insured. He suggested sitting down with the county to draft new language to obtain a common goal.

Mr. Alles will visit with Mr. Driessen after the meeting and report to the board within the next week or two regarding resolution to the insurance issues.

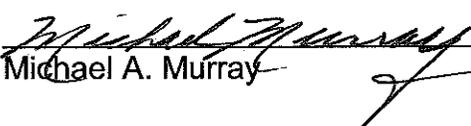
2. Commissioner Brown thanked Eric Gilbertson for offering his services on the DUI Task Force.

There was no other business, the meeting adjourned at 10:13 a.m.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman



Michael A. Murray

Derek Brown

ATTEST:



Paulette DeHart, Clerk of the Board