

**PUBLIC MEETING
DECEMBER 29, 2011
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, December 29, 2011, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Derek Brown called the meeting to order at 9 a.m. Commissioners Mike Murray and Andy Hunthausen were present. Others attending all or a portion of the meeting included Kelly Blake, Sherrel Rhys, Rebecca Shaw, Audra Zacherl, Marilyn Bracken, Monta Niles, Jill McCauley, Nancy Everson, Carole Byrnes, Paulette DeHart, Loretta Strobel, Art Pembroke, Laura Erikson, Keith Hatch, M.C. Beeby, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Retirement Recognition. The Commission congratulated Loretta Strobel on her retirement. She worked in the Motor Vehicle Department for her entire career with Lewis and Clark County, totaling well over 30 years, including previous service.

Consent Action Items. (Nancy Everson)

- a. Independent Contractor Contract Between Lewis & Clark County and Fencecrafters Helena, Inc. for Installation of Chain Link Fence at the L&C Co. Landfill in an Amount Not to Exceed \$48,400.00. (Audra Zacherl)
- b. Cultural Trust Grant Agreement Between Montana Arts Council and Lewis & Clark County as Sponsor for Musikanten, Inc., in the Amount of \$7,593 for the Period July 1, 2011 – June 30, 2013, nunc pro tunc. (Kerry Krebill)

Nancy Everson reported on the consent agenda and recommended approval.

No public comment was received.

Commissioner Murray moved approval of the consent items and authorized the Chair to sign as appropriate. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

A Resolution Establishing the 2012-2013 Fire Season and Related Burn Permits and Fees for Lewis and Clark County. (Art Pembroke)

Art Pembroke reported on the resolution establishing the 2012-2013 burn season. The notable change for this year is language to enable the county to facilitate hazardous reduction in accordance with the Hazardous Reduction Act (HRA) Burn which was established during the legislative session for clean-up and controlled burns of large areas, fuel reduction that are not the typical resident-type burning. Multiple locations are allowed under a single permit, and can be used multiple times on the property. The

cost for new permits is \$8; renewals are \$5, the same as last year.

No public comment was received.

Commissioner Hunthausen moved to approve the resolution as presented by staff and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Montana Safe Routes to School FY 2012 Grant Application for Lewis & Clark County Bike/Walk Education Project II in the Amount of \$39,200. (Laura Erikson)

Laura Erikson reported that Lewis and Clark County has been asked to sponsor this project by the local Safe Routes to School group as a state application for funding Phase II of our Bike/Walk Education Program. This is a continuation of that program to provide additional bicycles for the P.E. teachers to use in their P.E. classes; to add educational materials for the October Bike/Walk to School Month activity in 2012; and for increased law enforcement activity around the schools. Staff has requested \$36,320 instead of \$39,200. The bicycles are for the middle schools to use and become the property of the school to be reused again.

Public comment -

M.C. Beeby, 1620 Townsend, Chair for the Helena Safe Route to School Committee, thanked the Commission for supporting this application and project. The equipment will be trailered and kept at the school grounds for more efficiency. The bikes are all the same which helps in terms of training kids on the bikes. The project will be a "pre-driver" kind of education for the Middle School elementary program.

No other public comment was received.

Commissioner Murray moved approval of the application process and authorized the Chair to sign. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Montana Safe Routes to School FY 2012 Grant Application for a Sidewalk Adjacent to Silverette Street from Stuart Street to Kessler School in the Amount of \$100,000. (Rebecca Shaw)

Rebecca Shaw reported that this grant request is from the same program but is focused on infrastructure. The PowerPoint presentation showed a vicinity map of the area. Exact locations would be determined in the design process. The proposed budget is for \$100,000; \$88,000+ for construction; the remainder for engineering. It is anticipated that the sidewalk will be built in the right-of-way. The curb cut is there so that would enable the sidewalk to hook in on the ADA accessible side of the school. A letter of support from the Parks Department was distributed to the commission, and a letter of support from the School District is anticipated. A petition signed from local area parents, some of whom live on Silverette, was well supported.

Public comment -

M.C. Beeby, Parks Board member, supported the infrastructure work and the partnership with the school districts.

No other comments were received.

Commissioner Hunthausen moved approval of the grant application and authorized the Chair to sign. Commissioner Murray seconded the motion. The motion carried 3-0.

Quit Claim Deed to Student Assistance Foundation of Montana. (Nancy Everson)

Nancy Everson gave the history on this topic dating back to 1991. The county entered into a lease agreement with the intention of MHESAC building their office building on that land. The property has been paid off. This is the final clean-up on the bonds and the transfer of the title to that land.

No public comment was received.

Commissioner Murray moved approval of a Quit Claim Deed to the Student Assistance Foundation of Montana, and authorized the Chair to sign. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Board Appointments. Carole Byrnes reported on the board appointments. Mental Health Local Advisory Council. To date, 14 members have been appointed by the Commission; seven vacancies remain. Thirteen applications have been received from the following: Justin Murgel, Emily McVey, Melinda Hoskins, Jennifer Fauque, Quentin Johnson, Bowman Smelko, Dr. Nathan Munn, John Wilkinson, Antonina Rettig-Drufke, Judy Rolfe, Patrick Johnson, Suzanne Mannix, and Troy Santos.

Commissioner Hunthausen confirmed that he called references that applicants had listed and talked with folks and this contributed to his recommendations.

*One Provider of Child Mental Health Services - Commissioner Hunthausen moved to appoint Bowman Smelko to a one-year term. Commissioner Murray seconded the motion. No public comment was received. The motion carried 3-0.

*Three Family Members of Consumers - Commissioner Hunthausen moved to appoint Nathan Munn to a 3-year term; Judy Rolfe to a 4-year term; and Patrick Johnson to a 2-year term. Commissioner Murray seconded the motion. No public comment was received. The motion carried 3-0.

*Three Consumers - Commissioner Hunthausen moved to appoint Antonina Rettig-Drufke to a 2-year term; Jennifer Fauque to a 3-year term; and Quentin Johnson to a 4-

year term. Commissioner Murray seconded the motion. No public comment was received. The motion carried 3-0.

The next meeting of the LAC is Tuesday, January 3, 2012, at noon.

Library Board of Trustees

Staff did not receive any applications other than Carole Byrnes requesting appointment to a second 5-year term. Commissioner Murray moved to appoint Mrs. Byrnes for a second term on the Library Board of Trustees. Commissioner Hunthausen seconded the motion. No public comment was received. The motion carried 3-0.

Fair Board

Michele Steele has left the board. The term expires December 31, 2011. An application was submitted by Skip Hatveldt. Staff recommended the appointment of Mr. Hatveldt to a 3-year term to expire December 31, 2014, to fill the vacancy.

Bob Fusie has completed more than the standard two terms. He has asked for a term extension to assist with some future development at the fairgrounds. His request was put on hold until revisions to the resolution establishing the Fairgrounds and the bylaws were adopted.

Jim Erickson is completing a first term. Action was postponed until Mr. Erickson confirms interest in another term.

Commissioner Hunthausen moved to appoint Skip Hatveldt to a 3-year term expiring December 31, 2014. Commissioner Murray seconded the motion. No public comment was received. The motion carried 3-0.

Commissioner Hunthausen move to appoint Bob Fusie to fill out the remainder of a term to 2013. He has been a driving force on the board. Commissioner Murray seconded the motion. No public comment was received. The motion carried 3-0.

City-County Parks Board

Lincoln representative, Dennis Peterson has completed his first term and would like to serve another term. No new applications were received.

Commissioner Murray moved to appoint Mr. Peterson to a second term. Commissioner Hunthausen seconded the motion. No public comment was received. The motion carried 3-0.

Weed Board

Rita Cortright, Rob McDonough, and Bob Bushnell complete their second term at the end of this year. Each has expressed an interest in remaining on the board. No new applications were received.

Commissioner Murray moved reappointment of Rita Cortright, Rob McDonough and Bob Bushnell to extended terms. Commissioner Hunthausen seconded the motion. No public comment was received. The motion carried 3-0.

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

Jackie Taylor discussed her situation regarding a letter she sent to the Director of the Housing Authority Commission and the office of Adult and Aging Services pertaining to the preference list of Housing Authority programs as a disabled citizen. She asked for the Commission's assistance to petition a late application for the Housing Board and the Mental Health Board.

The Commission explained that county government has limited jurisdiction over some Federal programs. After some attempts at contacting some agencies, because of HYPPA laws they cannot speak specifically about your case. It was suggested that Ms. Taylor follow through with the agencies specific grievance processes for those places that she has been denied services. The Commission might be able to help her engage in those processes.

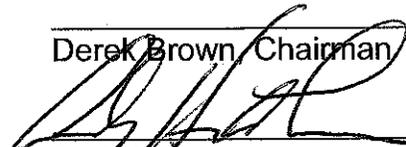
Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

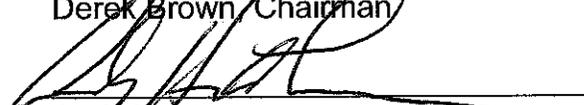
There was no other business, the meeting adjourned at 10:01 a.m.

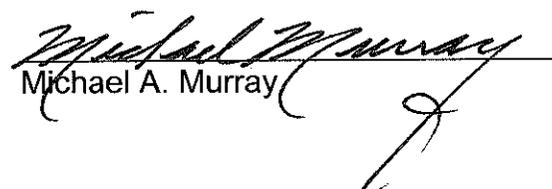
ATTEST:

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Paulette DeHart, Clerk of the Board


Derek Brown, Chairman


Andy Hunthausen


Michael A. Murray