

**PUBLIC MEETING  
MARCH 18, 2014  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, March 18, 2014, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Susan Good Geise called the meeting to order for 9 a.m. Commissioner Andy Hunthausen and Commissioner Mike Murray were present. Others attending all or a portion of the meeting included Eric Bryson, Paul Stahl, Melanie Reynolds, Holly Ireland, Paulette DeHart, Tamrah Chatriand, Greg McNally, Mike Fasbender, Ryan Casne, John Meehan and Katie Wessell, Jack Walsh and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

Eric Bryson stated there were no consent action items today.

Amendment No. One to Contract No. 14-07-6-11-028-0 between Montana Dept. of Public Health and Human Services and Lewis & Clark City-County Health Dept. (Melanie Reynolds)  
The Commissioners will consider the amendment in the amount of \$5,654 for participation by the Health Dept. in a statewide full-scale preparedness exercise on March 24-28 and April 7-11, 2014.

Melanie Reynolds, Health Officer, presented Amendment One to Contract No. 14-07-6-11-028-0 between the County and Montana DPHHS for public health emergency preparedness exercises scheduled for March 24-28 and April 7-11, 2014, in the amount of \$5,654.

Holly Ireland, Public Health Preparedness Coordinator, explained in detail the functional, full-scale exercises coordinated with the Federal Government's CDC and local jurisdictions, conducted every 5 years. The simulated statewide disaster exercise was intended to exercise local disease reporting, surveillance and investigation, in addition to vaccine capabilities.

No public comment was received.

Commissioner Hunthausen moved approval of Amendment No. One to Contract No. 14-07-6-11-028-0 between Montana Dept. of Public Health and Human Services and Lewis & Clark City-County Health Dept. as presented.

Commissioner Murray seconded the motion. The motion carried 3-0.

Resolution 2014-29 Canceling Uncalled Warrants Drawn on US Bank of Montana with a Date of Issuance Between July 1, 2009 and June 30, 2012 from the Clerk and Recorder Account in Fund #001 Pursuant to Section 7-6-2607, MCA. (Tamrah Chatriand)  
The Commissioners will consider the resolution.

Tamrah Chatriand, Accounting Clerk, presented Resolution 2014-29, to write off a \$7.00 check previously left off the list of checks to be written off. The funds would remain available to the payee in the future through the Treasurer's Office.

No public comment was received.

Commissioner Murray moved approval of Resolution 2014-29 Canceling Uncalled Warrants Drawn on US Bank of Montana with a Date of Issuance Between July 1, 2009 and June 30, 2012 from the Clerk and Recorder Account in Fund #001 Pursuant to Section 7-6-2607, MCA.

Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Request for Permission to Submit Modifications to the Preliminarily Approved Southridge Estates Major Subdivision (a.k.a. York Meadows) and Request for Waiver of Modification Process Fee. (Applicant: Southridge Properties, LLC) (Planner: Lindsay Morgan- Greg McNally) (Tabled from 3/11/14) Decision. The Commissioners will consider rendering a decision on the request.

Greg McNally, Planner, in Lindsay Morgan's absence, recapped the applicant's request as presented in Ms. Morgan's memo of March 11, 2014. Today was decision day for the request for permission for Southridge Estates to submit modifications to their preliminarily approved subdivision. The applicant was seeking to modify 16 Conditions of Approval and add 4 new Conditions of Approval. In addition, the applicant was requesting waiver of the modification fee. Options were provided for the Commission's consideration.

No public comment was received.

Commissioner Murray moved approval of the applicant's request for permission to submit an application for modification of Conditions of Approval.

Commissioner Hunthausen seconded the motion.

Discussion –

Commissioner Murray questioned why the applicant had not submitted a new application, given the number of proposed changes. However, the applicant had provided new information, which was the reason for Commissioner Murray's motion to allow the modification to proceed. He also believed the Planning Board should somehow be involved in the changes.

Commissioner Hunthausen stated there were significant enough proposed changes and circumstances to permit consideration of modifications.

The motion carried 3-0.

Commissioner Murray moved to deny the request for waiver of the fees.

Commissioner Hunthausen seconded the motion.

Discussion –

Commissioner Murray stated his reason for denying the request to waive fees was based on the amount of Staff time required in reviewing and preparing the application for re-submission, in addition to the legal requirements for public notice advertising.

Commissioner Hunthausen concurred with Commissioner Murray's comments, adding it was reasonably the applicant's responsibility to cover the costs.

The motion carried 3-0.

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

Dr. Katie Wessell, 6385 Turk Road, Helena, recapped occurrences of the past weekend related to an incident between her husband, John Meehan, and neighbor Chad Newman, while Mr. Meehan and neighbor Dennis Shaw attempted to make repairs to the gravel road resulting from the recent rapid snow melt. The Sheriff's Office had been notified in advance of John Meehan's intention to make repairs to the road. She stated Chad Newman confronted John Meehan, patting his side as an indication that he was armed. Words were exchanged and the Sheriff's Office Deputies subsequently responded to a complaint call by the Newmans. Dr. Wessell provided detailed information on their past experiences with neighbors, the Sheriff's Office and County Attorney's Office. She lodged an accusation of corruption in the Sheriff's Office stemming from her unresolved request made to Sheriff Dutton on March 26, 2013, for a signed copy of a search warrant from Oct. 3, 2012, and the return of personal property valued at \$1,000 seized from her home. Sheriff Dutton had agreed to get back to her, but had not. She stated there was not equal protection under the law for her and her husband; their civil rights had been violated and they had been targeted by the Sheriff's Office. She stated their intention to continue to make repairs to the road, and asked the Commission to intervene and request of Chad Newman that he not interfere with their efforts in the future.

Commissioner Hunthausen asked if Dr. Wessell contacted Sheriff Dutton regarding her conflict with Deputy Blythe and Deputy Hughes. She stated she had not.

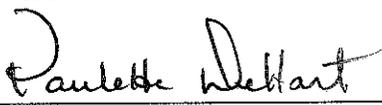
Commissioner Murray voiced his resentment of Dr. Wessell's corruption accusation, and stated both the Sheriff and County Attorney were elected officials, separate from the County Commission; however, Dr. Wessell's comments would be shared with both parties. He apologized for the incident of this past weekend.

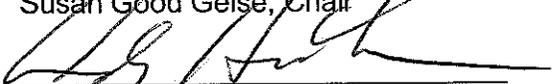
Dr. Wessell stated her reason for sharing the information was so that the Commission understood the situation, not to place blame with the Commission.

Commissioner Good Geise assured Dr. Wessell that the Commission would pursue the issue in an attempt to provide her with the requested information.

There was no other business and the meeting adjourned at 9:35 a.m.

ATTEST:

  
Paulette DeHart, Clerk of the Board

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS  
  
Susan Good Geise, Chair  
  
Andy Hunthausen

  
Michael Murray