

By Macque L. Bohleen

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COMMISSIONERS' PROCEEDINGS

January 28, 2025

Commissioners Scott Miller, Scott Blain, and Bill Bullock, Deputy Clerk Katrina Kruger and Administrative Officer Angela Newell were present.

8:30 Pledge of Allegiance.

8:35 Public Comment. Seeing none, Presiding Officer Scott Blain recessed the meeting until the next agenda item.

9:00 Cedarwood Next Steps. Brent Moore with Interstate Engineering joined the meeting. Bullock opened discussion regarding options for funding and steps to move forward with demolition and construction of the Justice Center and County Offices at the Cedarwood location. Blain would like to have the building demolished right away, as no engineering and architect services would be required for demolition. Moore suggested having a rendering or sketch done of the proposed street view design and encouraged Commissioners to develop a plan to present to the public prior to demolition of the existing building. Moore advised hiring a PR firm if the public is going to have to approve any expenditures or bonds; and also meeting with the City Planners regarding permits, design review and zoning ordinances. Discussion was held regarding phasing of design, planning and development. Moore returned discussion to funding options and advised Interstate has hired an experienced grant technician in their Helena office that could be a valuable resource. The Board will conduct initial conversations with Mayor Westwood during City of Red Lodge time on Thursday, January 30th. The Board discussed advertising a Request for Qualifications (RFQ) for an architecture firm qualified to conduct the project. Presiding Officer Blain recessed the meeting until the next agenda item.

10:30 Rental Agreement Renewal – DES Coordinator Cyrina Allen, Therese Picasso with Picasso Health and Nutrition, and Public Health Director Erin Cross, joined the meeting. Miller moved to approve the Rental Agreement with Picasso Health and Nutrition; Bullock seconded. Blain called for discussion. Cross advised there has been no disruptions to Public Health Services during the term of the lease and Picasso brings in a new demographic to Public Health. Newell advised she had been contacted by another provider inquiring about leasing the space as well. Discussion was held on whether a cap should be placed on the number of lessees. Miller amended the motion to Approve Renewal of the existing Rental Agreement with Picasso Health and Nutrition for six months; Bullock seconded. Newell advised the current lease term six-months at \$15/month. Blain asked how much time the space is used for Picasso's services. Picasso reported her average usage averages 9 hours per month. Blain called for the vote and the

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motion carried. The Board will review the Lease for renewal again in six months. Cross and Picasso left the meeting.

BLM Trail Steward Grant – Letter of Support for BLM Trail Steward Grant Application. Miller moved to approve the Letter of Support for BLM Trail Steward Grant Application. Bullock seconded. The letter indicates providing a trail steward in the Elk Basin Cottonwood Area, Grove Creek, and Pryor Mountains would help minimize the impact on county resources. A Trail Steward could provide information to keep visitors on existing roads and trails and help prevent the need for an onsite response by the Sheriff. Motion carried.

Consent Agenda. Miller moved to approve the Consent Agenda consisting of Letter of Support for HB 2 in the Montana Legislature; Two Purchase Request Forms for \$2,500.00 each for Insurance Deductibles for body repairs to Sheriff's Vehicles #7030 and #6889; Request for Reimbursement Form in the amount of \$5,080.00 from TSEP Program and Minutes from Commissioners' Proceedings dated December 31, 2024; Bullock seconded. Motion carried.

Miller moved to approve the Employee Timecard Review. Bullock seconded. Motion carried.

Carbon County Conservation District – Floodplain Services Agreement. Bullock moved to approve the Floodplain Services Agreement with the Carbon County Conservation District; Miller seconded. Bullock noted the Agreement is an attempt to consolidate services to create a more efficient administration process. Blain advised the Floodplain Services Agreement, if approved, will be conditional upon approval from the Carbon County Conservation District. Newell advised Carbon County will reimburse the Conservation District for actual costs of staff time spent in administration of Floodplain Services. Motion carried. DES Coordinator Cyrina Allen left the meeting.

11:00 Young Subdivision. Kate Stout, Red Lodge Surveying, County Attorney Alex Nixon, Clerk and Recorder Macque Bohleen joined the meeting in person. Kellie Morton of Berg Lilly PC, legal counsel for Long Tomorrow LLC, Nate Anderson of Long Tomorrow LLC, Sanitarian Barbara Krizek, and Contract Planner Forest Mandeville joined on-line. Presiding Officer Scott Blain called the meeting to order. Mandeville reviewed the Subdivision Application for Young Subdivision and the concerns from adjacent property owners. Action on the Approval of Young Subdivision had been postponed from December 31, 2024 in order to further investigate the concerns

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brought before the board. Mandeville stated the County does not typically involve themselves in private party covenants, and as such the issues raised should not preclude the Board's approval of Young Subdivision and the lifting of the Ag Covenant. Having reviewed and considered the application materials, project memorandum, public comments and all of the information presented, Miller moved to approve Young Subdivision, with the findings included in the project memorandum. Bullock seconded the motion. Blain called for discussion. Bullock advised he will abstain from voting. Bullock stated that while he neither supports nor opposes Young Subdivision, he is concerned with possible legal entanglements associated with a vote either way. Miller asked if the Planning Board or Staff recommended approval. Mandeville advised Young Subdivision is exempt from Planning Board review under Section IV-E of the Subdivision Regulations. Therefore, the recommendation for approval was issued by Planning Staff. Blain stated the issues of any easements, options, and covenants are civil matters and should not affect the decision of the Commission. Morton expressed agreement with Blain's statements, thus far, in that the matters involved should not affect the decision of the Board approval process. Morton and Long Tomorrow's intent was to simply raise awareness they would be defending their rights under the Option and the Building Covenant. Bohleen requested clarification regarding a certain 25-year limitation on either the Option to Purchase or the Building Covenant. Nate Anderson of Long Tomorrow LLC advised there had been lease agreement under a 25-year agreement which had expired, but the Option to Purchase and the Building Covenant are still in place and have no expiration date. Anderson advised he had reached out to Mr. Young and requested an opportunity to discuss the matter further and had hoped to have conversation directly with Mr. Young prior to this proceeding. Blain called for the vote. Miller and Blain voted in favor; Bullock abstained from voting. Motion carried.

11:30 Code Enforcement Progress and Software Renewal. GIS Coordinator Tom Kohley, Sheriff McQuillan, Sanitarian Barbara Krizek, County Attorney Alex Nixon. Newell opened discussion regarding the cost of the Black Mountain Code Enforcement software and the number of Code Enforcement Violations being tracked. Newell stated the software costs are quite expensive and a waste of resources if the software is not being used. Newell advised the Code Violation complaint form is available on-line at no cost to the County. Bullock moved to discontinue the Code Enforcement Software with Black Mountain. Miller seconded. Kohley noted the Code Enforcement violation problem exists regardless of whether the Code Enforcement Software is renewed or not. Discussion was held regarding the process of notices and investigation of complaints, and the eventual litigation of any violations. Uncured violations should be reported to law enforcement for investigation. McQuillan noted the Sheriff's Office is seldom contacted


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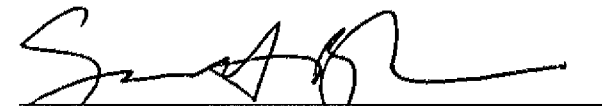
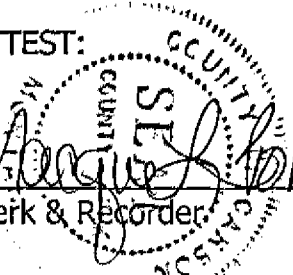
to investigate a Code Enforcement violation. Bullock called the question, Blain called for the vote. Motion carried. Miller requested input from Mandeville. Mandeville advised the Planning Board has sent violation notices out and has not had any trouble with compliance following a notice.

11:55 Presiding Officer Blain adjourned the meeting until Thursday, January 30, 2025

ATTEST:



Clerk & Recorder



Commission Presiding Officer

Respectfully submitted: Deputy Clerk, Katrina Kruger