



## **NOTICE OF PUBLIC MEETING**

The Lewis and Clark County Commissioners Public Meeting will be held on Tuesday, October 15, 2024, at 9:00 AM in Commission Chambers, Rm 330.

It is the policy of the Board of County Commissioners to render a decision at a later date after they have had ample time to consider all oral and written public testimony. The BoCC may render a final decision on the same date if substantial new information is not received. Public comment must be limited to matters under the jurisdiction of the Commission.

1. **Pledge of Allegiance**
2. **Consent Action Items**
3. **Resolution 2024-110 to Create the Oleo Acres Rural Improvement District No. 2024-8. (Jessica Makus)**

The Commissioners will consider the resolution.

4. **Grant Task Order HHS-ECFS-00000468 Amendment One to Lewis and Clark Public Health from Montana Department of Public Health and Human Services. (Drenda Niemann)**

The Commissioners will consider the grant award task order amendment from the Montana Department of Public Health and Human Services for the provision of Women, Infants, and Children (WIC) Supplemental Nutrition Program. The amendment extends the term to September 30, 2025 and increases the total amount to \$662,189.

5. **Amendment No. 2 to Grant Award Agreement Between Lewis and Clark County and the Montana Department of Natural Resources and Conservation. (Ann McCauley)**

The Commissioners will consider Amendment No. 2 to an American Rescue Plan Act (ARPA) Minimum Allocation Grant Award from the Montana Department of Natural Resources and Conservation for water/sewer upgrades for the Ten Mile/Pleasant Valley Water and Sewer District. Amendment No. 2 amends the project period to end March 31, 2025, and adds construction activities to the project scope.

6. **Amendment No.1 to Subrecipient Agreement Between Lewis and Clark County and Ten Mile/Pleasant Valley Water-Sewer District. (Ann McCauley)**

The Commissioners will consider an amendment for the Ten Mile/Pleasant Valley Water and Sewer District to execute an American Rescue Plan Act (ARPA) Minimum Allocation Grant for Water/Sewer Infrastructure. This amendment extends the period of performance to March 31, 2025, and adds construction work.

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

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**ADA NOTICE**

Lewis and Clark County is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The County will not exclude persons with disabilities from participation at its meetings or otherwise deny them County's services, programs, or activities. Persons with disabilities requiring accommodations to participate in the County's meetings, services, programs, or activities should contact Keni Grose, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

- (406)-447-8316
- kgrose@lccountymt.gov
- TTY Relay Service 1-800-253-4091 or 711
- 316 N Park, Room 303



Resolution 2024-110 to Create the Oleo Acres Rural Improvement District No. 2024-8. (Jessica Makus)

Presented By:

Summary:

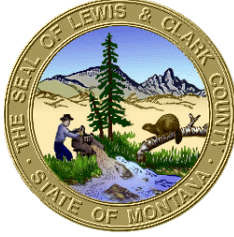
The Commissioners will consider the resolution.

Legal Review Required:

**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Oleo Acres Res to Create MEMO	Staff Report
<input type="checkbox"/> Oleo Acres Res to Create RESOLUTION	Resolution
<input type="checkbox"/> Oleo Acres Signed Petition A	Attachment
<input type="checkbox"/> Oleo Acres Boundary Map B	Map
<input type="checkbox"/> Oleo Acres Improvement C	Attachment
<input type="checkbox"/> Oleo Acres Maintenance D	Attachment
<input type="checkbox"/> Oleo Acres Loan Info E	Attachment

Jessica Makus  
Special Districts Program Coord.  
Ph: 406-447-8029  
Fax: 406-447-8033



3402 Cooney Drive  
Helena, MT 59602

[jmakus@lccountymt.gov](mailto:jmakus@lccountymt.gov)

# LEWIS AND CLARK COUNTY

## Public Works Department

Date: October 15, 2024  
To: Board of County Commissioners  
From: Jessica Makus, Special Districts Program Coordinator  
Subject: Resolution 2024-110 to Create the Oleo Acres Rural Improvement District

Today is the public hearing regarding Resolution 2024-110, to Create the Oleo Acres Rural Improvement District to improve and maintain Birkland Drive. The proposed district is off York Road about 2 miles from the junction with Canyon Ferry Road, just before Warren School.

The Resolution of Intention to Create the Oleo Acres RID was passed by the Commission on September 3, 2024, after receiving a petition that was signed by 40% of property owners within the proposed district. There are 30 properties included in the proposed district boundary.

The original Oleo Acres RID was created in 1995 to maintain the improvements on Birkland Drive. The improvements on this road have reached the end of their functional life and no longer benefit from annual maintenance. Staff held an evening meeting to discuss the condition of the road and recommended that property owners consider improvements to the road through a new RID or alternatively, consider dissolution of the RID. Property owners chose to move forward with a new RID and circulated a petition throughout the district.

Improvements to be funded by the district include the addition of approximately 1,214 cubic yards of gravel surfacing and watering, grading, and compaction of the new material. Financing of improvements is estimated to total \$49,705.00. Each benefiting property owner is proposed to be levied a 15-year debt service assessment of \$171.00, annually. The general character of maintenance includes snow plowing and sanding as needed, gravel maintenance, drainage maintenance, and other maintenance as needed to preserve road improvements. Annual maintenance is estimated to total approximately \$4,500.00, and each benefiting property is proposed to be levied and assessed a maintenance assessment of \$150.00 per year.

The total proposed assessment is \$321.00 per property per year for the first 15 years and then dropping to the maintenance assessment after the improvement loan is repaid.

Upon passage of the resolution of intention to create the district on September 3, notice of the intention to create the district and today's public hearing was mailed to each property owner and a 30-day comment and protest period was opened to the public. Legal notice was also published in the Helena Independent Record on Saturday, September 7, and Saturday, September 14, 2024. The comment and protest period closed on Thursday, October 10, 2024. No protest was received; therefore, there is not sufficient protest to bar proceedings today.

If the Oleo Acres RID is created, it is anticipated a resolution to levy and assess the RID will be brought before the Commission later this fall. Because we have missed the September deadline to get on the next tax bill, this RID would be assessed starting with the November 2025 tax bill. In addition, we would also present a loan application to the Montana Board of Investments to fund an INTERCAP loan for initial construction.

Staff recommend approval of Resolution 2024-110 to Create the Oleo Acres Rural Improvement District.

## **RESOLUTION 2024-110**

### **RESOLUTION TO CREATE THE OLEO ACRES RURAL IMPROVEMENT DISTRICT, NO. 2024-8**

**WHEREAS**, a Resolution of Intention to Create the Oleo Acres Rural Improvement District (District) was adopted by the Lewis and Clark County Board of Commissioners on September 3, 2024, as Resolution 2024-98; and

**WHEREAS**, legal notice of the passage of Resolution 2024-98 was mailed to each property owner or person of interest in property within the proposed District, and published in the local newspaper in accordance with Section 7-12-2105, MCA, and 7-1-2121, MCA; and

**WHEREAS**, it was determined that there was not sufficient protest to bar proceedings as per Section 7-12-2112, MCA; and

**WHEREAS**, the designated items set forth in Section 7-12-2103(2), MCA, are as follows:

- (a) The designated number of the District is 2024-8.
- (b) The benefited properties to be included in the District are listed in the petition, Exhibit "A". The roads proposed for improvement and the boundary of the District are shown on Exhibit "B".
- (c) The County Engineer or a designee will have charge of the work. The general character of improvements includes the addition of approximately 1,214 cubic yards of gravel surfacing and watering, grading, and compaction or the new material along the full extent of Birkland Drive. The estimated cost for improvements total \$49,705.00 and will be paid for with a fifteen (15) year debt service, with \$171.00 assessed annually to each benefited property. Improvement costs are detailed in Exhibit "C".
- (d) The general character of maintenance includes, but is not limited to, snow plowing and sanding, grading, gravel maintenance, culvert and drainage maintenance, signage, and other maintenance as necessary to preserve the road improvements. Funding of annual maintenance is estimated to total \$4,500.00. Each benefited property is estimated to be assessed \$150.00, annually. Maintenance costs are detailed in Exhibit "D".
- (e) Loan information for the fifteen (15) year debt service as well as a summary of estimated annual costs are detailed in Exhibit "E".
- (f) Costs shall be assessed equally, as described in Section 7-12-2151(1)(d), MCA.
- (g) Pursuant to Section 7-12-2103(2)(f), MCA, if an increase in the number of benefited lots, tracts, or parcels within the boundaries of the District occurs during the term of bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners does hereby create the Oleo Acres Rural Improvement District, No. 2024-8, for the purpose of equitably funding improvements and maintenance on roads within the District.

**BE IT FURTHER RESOLVED** that the Lewis and Clark County Public Works Department is

authorized and responsible for coordinating proposed improvements and maintenance detailed in Exhibits "C" and "D" for roadways within the District.

DATED this 15<sup>th</sup> day of October, 2024.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

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Andy Hunthausen, Chair

ATTEST:

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Amy Reeves, Clerk of the Board

Attachments:

- Exhibit "A"
- Exhibit "B"
- Exhibit "C"
- Exhibit "D"
- Exhibit "E"

Exhibit "A": Property Owners

**PETITION TO CREATE THE OLEO ACRES RURAL IMPROVEMENT DISTRICT**

Petition Circulation Date: June 28, 2024

We, the undersigned, owners of real property within the proposed Oleo Acres Rural Improvement District (the "Proposed District"), located in Lewis and Clark County, Montana, do hereby petition the Board of County Commissioners to create the Proposed District for the purpose of improving and maintaining the full extent of Birkland Drive (including the cut-across section) as authorized by MCA §7-12-2101, et. seq., and acknowledge that the above road has been in common and undisputed use by the public for a period of not less than five years.

A property owner list requiring at least 20% of the listed owners' signatures is attached as Exhibit "A", and the boundaries of the Proposed District are shown on the attached Exhibit "B".

Improvements to be funded by the Proposed District include the addition of approximately 1,214 cubic yards of crushed top surfacing and watering, grading, and compaction of the new material. Financing of improvements is estimated to total \$49,705 and each benefited property is proposed to be levied a 15-year debt service assessment of \$171.00, annually. Maintenance activities funded by the Proposed District include snow plowing, sanding, grading, gravel maintenance, drainage maintenance, and other items as needed to preserve the road improvements. Funding of annual maintenance is estimated to total \$4,500, and each benefited property is proposed to be levied an ongoing maintenance assessment of \$150.00, annually. This annual maintenance assessment will be evaluated each year and adjusted for inflation or maintenance needs as necessary. Any change in the assessment rate will result in written legal notice and the opportunity for comment during public hearing. The combined annual improvement and maintenance assessment estimate for each benefited property is \$321. Once the improvement debt service is paid, the annual assessment will drop to the maintenance cost only. Costs for improvements and maintenance are detailed in the attached Exhibits "C" and "D", respectively. Estimated annual assessments and loan information are detailed in the attached Exhibit "E".

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District Policies and Procedures manual which is available for inspection at the Public Works Department, 3402 Cooney Drive, Helena, Montana. Details, boundaries of the district, and benefited properties are ultimately the decision of the Board of County Commissioners. The details, boundaries, and benefited properties on this petition may be changed when resolutions establishing the district are considered, also resulting in increased or decreased estimated assessments. The final special assessment per lot may change due to a review of assessable lots by the Lewis and Clark County Property Tax Department.

It is anticipated the Proposed District will be administered by the County and the County will serve to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated a private contractor would perform the improvements and maintenance. Lewis and Clark County, by action of the Board in creating the Proposed District, does not assume financial responsibility for the maintenance or improvement financed by the Proposed District.



Exhibit "A": Property Owners

If the County Commission adopts a resolution of intention to create the district upon receipt of this petition, affected property owners will receive mailed notification prior to a public hearing on a resolution to create the district, with sufficient time to provide comments in support or in protest.

No.	Geocode	Annual Improvement Estimate (15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
1	05-1888-14- 2-02-45-0000	\$171.00	\$150.00	3505 Birkland Dr. Helena, MT 59602	Rodelle Brower	Rodelle Brower	7/27/24
2	05-1888-14- 2-03-01-0000	\$171.00	\$150.00	3463 Birkland Dr. Helena, MT 59602	SANDEA N. Jocke	Sandra M. Jocke	7/27/24
3	05-1888-14- 2-02-15-0000	\$171.00	\$150.00	3460 BIRKLAND HELENA, MT. 59601	DENNIS WHEELER	Dennis Wheeler	7/27/24
4	05-1888-14- 2-03-11-0000	\$171.00	\$150.00	3475 Birkland Dr. Helena, MT 59602	Sandra D. Carlson	Sandra D. Carlson	7/27/24
5	05-1888-14- 2-03-19-0000	\$171.00	\$150.00	3485 Birkland Helena, MT 59602	Sean Fennema	Sean Fennema	7/27/24
6	05-1888-10- 4-02-07-0000	\$171.00	\$150.00	3525 Birkland Helena MT 59602	Dennis Maye	Dennis Maye	7-23-24
7	05-1888-10- 4-02-05-0000	\$171.00	\$150.00	3515 Birkland Helena, MT 59602	Erin Weisgerber	Erin Weisgerber	7-21-24
8	05-1888-14- 2-02-20-0000	\$171.00	\$150.00	3470 BIRKLAND HELENA, MT.	JOEL MARSHIK	Joel Marshik	7/28/24
9	05-1888-14- 2-02-36-0000	\$171.00	\$150.00	3401 Birkland Dr. Helena, MT	Heather Buntingman	Heather Buntingman	7/28/24
10	05-1888-14- 2-03-09-0000	\$171.00	\$150.00	3471 Birkland Helena	David Koch	David Koch	8-3-24
11	05-1888-14- 2-03-15-0000	\$171.00	\$150.00	3401 Birkland Helena	Todd Schmitt	Todd Schmitt	8-3-24



Exhibit "A": Property Owners

No.	Geocode	Annual Improvement Estimate (15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
12	05-1888-14- 2-02-10-0000	\$171.00	\$150.00	3420 Birkland Dr. Helena, MT 59602	Daniel Richardson		8/3/2024
13		\$171.00	\$150.00				
14		\$171.00	\$150.00				
15		\$171.00	\$150.00				
16		\$171.00	\$150.00				
17		\$171.00	\$150.00				
18		\$171.00	\$150.00				
19		\$171.00	\$150.00				
20		\$171.00	\$150.00				
21		\$171.00	\$150.00				
22		\$171.00	\$150.00				





## Proposed Oleo Acres Rural Improvement District Exhibit "B"



Exhibit "C"

LEWIS AND CLARK COUNTY  
PUBLIC WORKS DEPARTMENT ESTIMATE

PROJECT: Oleo Acres  
PROJECT DESCRIPTION: Gravel Improvement  
PREPARED BY: Calob Marquis  
DATE: 4/2/2024

Road Name	Description of Limits	Width (ft)	Length (ft)	Area (sq ft)	Area (sq yd)	Crushed Top Surfacing 3- 4" (cu yd)	Locate Utilities	Pit Run (cu yd)	Drainage (ft)	Culvert Installation (ft)
Birkland Dr	Old Tizer Rd through cut across and York Rd	22	2,494	54,868	6,096		813		0	0
Birkland Dr	South Loop	22	1,640	36,080	4,009		401			
TOTALS			4,134	90,948	10,105		1,214	0	0	0

Item	Total	Unit	Cost/Unit	Total Cost
Crushed Top Surfacing	1,214	cu yd	\$ 34.00	\$ 41,276.00
CONSTRUCTION TOTAL				\$ 41,276.00
Contingency			10%	\$ 4,127.60
Subtotal				\$ 45,403.60
Traffic Analysis				\$ -
Mobilization, Bonding & Insurance			4%	\$ 1,816.14
Traffic Control			0%	\$ -
Subtotal				\$ 47,219.74
Design & Construction Engineering			18%	\$ -
PROJECT TOTAL				\$47,219.74

## Exhibit "D"

**LEWIS AND CLARK COUNTY**  
**PUBLIC WORKS DEPARTMENT**

**MAINTENANCE AND ASSESSMENT SCHEDULE**

**RID NAME:** Oleo Acres

RID FUND #: 417  
 PREPARED BY: Calob Marquis  
 DATE: 4/2/2024  
 BENEFITING PROPERTIES: 30  
 YEAR CREATED: 1995

AVERAGE ASSESSMENT PER PROPERTY : \$ 90.00  
 CURRENT TOTAL ANNUAL ASSESSMENT: \$ 2,700.00  
**PROPOSED ASSESSMENT: \$ 150.00**  
**PROPOSED TOTAL ANNUAL ASSESSMENT: \$ 4,500.00**

**RID DESCRIPTION:**

Road	Description of Limits	Surface	Length (ft)	Width (ft)	Area (sq ft)	Area (sq yd)
Birkland Dr	Old Tizer Rd to York Rd	Gravel	3699	22	81378	9042
Birkland Dr	East/West Cut Across Rd	Gravel	435	22	9570	1063
<b>TOTALS</b>			<b>4134</b>	<b>22</b>	<b>90948</b>	<b>10105</b>

**YEARLY MAINTENANCE:**

Item	Description	Frequency/Year	Quantity	Units	Unit Price	Total Cost
1	Plowing/Sanding	2	10105	sq yd	\$ 0.03	\$ 606.32
2	Grading	0.5	4134	ft	\$ 1.10	\$ 2,273.70
3	MAG	0	4134	ft	\$ 0.90	\$ -
4	Gravel Maintenance	1	12	ton	\$ 38.00	\$ 456.00
5	Misc. (Signs, culverts, etc.)	0.5	10105	sq yd	\$ 0.05	\$ 252.63
						<b>\$ 3,588.65</b>

**COMMENTS:**

Inflation on construction costs based on: 2.50% per year  
 Cash on Hand at End of FY: \$ -  
 Last Assessment: 2017

FISCAL YEAR	ASSESSMENT	TOTAL ANNUAL ASSESSMENT	BALANCE & CASH ON HAND	CONSTRUCTION COST	MAINTENANCE (W/ INFLATION)	ADMIN	FUTURE MAINTENANCE
2024			\$ -			\$ -	
2025	\$ 150.00	\$ 4,500.00	\$ 686.35		\$ 3,588.65	\$ 225.00	
2026	\$ 150.00	\$ 4,500.00	\$ 1,282.98		\$ 3,678.37	\$ 225.00	
2027	\$ 150.00	\$ 4,500.00	\$ 1,787.65		\$ 3,770.33	\$ 225.00	
2028	\$ 150.00	\$ 4,500.00	\$ 2,198.06		\$ 3,864.59	\$ 225.00	
2029	\$ 150.00	\$ 4,500.00	\$ 2,511.86		\$ 3,961.20	\$ 225.00	
2030	\$ 150.00	\$ 4,500.00	\$ 2,726.63		\$ 4,060.23	\$ 225.00	
2031	\$ 150.00	\$ 4,500.00	\$ 2,839.89		\$ 4,161.74	\$ 225.00	
2032	\$ 150.00	\$ 4,500.00	\$ 2,849.11		\$ 4,265.78	\$ 225.00	
2033	\$ 150.00	\$ 4,500.00	\$ 2,751.68		\$ 4,372.43	\$ 225.00	
2034	\$ 150.00	\$ 4,500.00	\$ 2,544.95		\$ 4,481.74	\$ 225.00	
2035	\$ 150.00	\$ 4,500.00	\$ 2,226.17		\$ 4,593.78	\$ 225.00	
2036	\$ 150.00	\$ 4,500.00	\$ 1,792.54		\$ 4,708.62	\$ 225.00	
2037	\$ 150.00	\$ 4,500.00	\$ 1,241.20		\$ 4,826.34	\$ 225.00	
2038	\$ 150.00	\$ 4,500.00	\$ 569.20		\$ 4,947.00	\$ 225.00	
2039	\$ 150.00	\$ 4,500.00	\$ (226.47)		\$ 5,070.67	\$ 225.00	
2040	\$ 150.00	\$ 4,500.00	\$ (1,148.91)		\$ 5,197.44	\$ 225.00	
2041	\$ 150.00	\$ 4,500.00	\$ (2,201.28)		\$ 5,327.38	\$ 225.00	
2042	\$ 150.00	\$ 4,500.00	\$ (3,386.84)		\$ 5,460.56	\$ 225.00	
2043	\$ 150.00	\$ 4,500.00	\$ (4,708.92)		\$ 5,597.07	\$ 225.00	
2044	\$ 150.00	\$ 4,500.00	\$ (6,170.92)		\$ 5,737.00	\$ 225.00	

**Exhibit "E" Estimated Improvement and Maintenance Assessments for Oleo Acres RID**

Construction			\$ 41,276.00
Contingency		10%	\$ 4,127.60
			\$ 45,403.60
Mobilization, Insurance & Bonding		4%	\$ 1,816.14
Traffic Control		0%	\$ -
			\$ 47,219.74
Design & Construction Engineering		0%	\$ -
<b>Total Estimated Construction Cost</b>			<b>\$ 47,219.74</b>
RID Reserve (5%) MCA 7-12-2181 & 7-12-2182			\$ 2,485.25
<b>Total Estimated Loan Amount</b>			<b>\$ 49,704.99</b>

Value of Loan	<b>\$49,704.99</b>		
<b>Period (years)</b>	<b>15</b>	Total Int	\$27,061.46
Payments per Period	1	Total Princ	<u>\$49,704.99</u>
Interest Rate (7-12-2176)	<b>6.00%</b>	Total	<u>\$76,766.45</u>
Number of Assessments	<b>30</b>		

**ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT** **\$170.59**

Payment Number	Interest Payment	Principal Payment	Total Payment	Amount Remaining
				49,704.99
1	2,982.30	2,135.46	5,117.76	47,569.53
2	2,854.17	2,263.59	5,117.76	45,305.94
3	2,718.36	2,399.41	5,117.76	42,906.53
4	2,574.39	2,543.37	5,117.76	40,363.16
5	2,421.79	2,695.97	5,117.76	37,667.19
6	2,260.03	2,857.73	5,117.76	34,809.45
7	2,088.57	3,029.20	5,117.76	31,780.26
8	1,906.82	3,210.95	5,117.76	28,569.31
9	1,714.16	3,403.61	5,117.76	25,165.70
10	1,509.94	3,607.82	5,117.76	21,557.88
11	1,293.47	3,824.29	5,117.76	17,733.59
12	1,064.02	4,053.75	5,117.76	13,679.84
13	820.79	4,296.97	5,117.76	9,382.87
14	562.97	4,554.79	5,117.76	4,828.08
15	289.68	4,828.08	5,117.76	0.00
<b>Total</b>	<b><u>\$27,061.46</u></b>	<b><u>\$49,704.99</u></b>	<b><u>\$76,766.45</u></b>	

ANNUAL MAINTENANCE		FREQUENCY	TOTAL COST
Plowing/Sanding		2	\$606.32
Grading		0.5	\$2,273.70
Gravel Maintenance		1	\$456.00
Culvert Maintenance, Misc.		0.5	\$252.63
Annual Inflation Adjustment		1	\$686.35
Sub Total			\$4,275.00
5% Admin. Fee (not to exceed \$500)			\$225.00
Total Annual Maintenance Fee			\$4,500.00
<b>ANNUAL ESTIMATED MAINTENANCE ASSESSMENT</b>			<b><u>\$150.00</u></b>
<b>ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT</b>			<b><u>\$170.59</u></b>
<b>TOTAL ANNUAL ESTIMATED ASSESSMENT</b>			<b><u>\$320.59</u></b>



Grant Task Order HHS-ECFS-00000468 Amendment One to Lewis and Clark Public Health from Montana Department of Public Health and Human Services. (Drenda Niemann)

Presented By:

**Summary:**

The Commissioners will consider the grant award task order amendment from the Montana Department of Public Health and Human Services for the provision of Women, Infants, and Children (WIC) Supplemental Nutrition Program. The amendment extends the term to September 30, 2025 and increases the total amount to \$662,189.

Legal Review Required:

**LEWIS AND CLARK COUNTY  
GRANTS APPROVAL FORM**

<b>Grant name:</b>	WIC Program Services
<b>Grant/Contract number:</b>	HHS-ECFS-00000468
<b>Funding source:</b>	
<b>Federal Agency:</b>	USDA Food and Nutrition Service
<b>State Agency:</b>	MT-DPHHS
<b>ARRA funding?</b>	No
<b>Award amount:</b>	\$324,479 (\$662,189 new total award)
<b>Hard Match required:</b>	
<b>Soft Match required:</b>	
<b>Indirect Cost Rate amount:</b>	10%
<b>Grant/Contract Period:</b>	<b>Start:</b> 10/1/2023 <b>End:</b> 9/30/2025
<b>Catalog of Federal Domestic Assistance number:</b>	10.557



**Separate fund needed for accounting purposes?** Yes

**Is this project in the current fiscal budget?** Yes

*If no, fill out and attach supplemental budget amendment form.*

**Are non federal assets (>\$15,000) going to be purchased?** No

**Are federal assets (>\$5,000) going to be purchased?** No

**Does Grant/Contract require interest to be earned?** No

**Grant/Contract based on:** a reimbursement

**Contact Person/Phone number:** Drenda Niemann x8910

**County Department:** Health Department

**County Assigned Project number:** WIC25 fund 177 & 182 FARM25 fund 177

**Salaries to be paid by grant?** Yes

**ATTACHMENTS:**

Description	Type
 HHS-ECFS-0000468 Amd1	Contract

**TASK ORDER HHS-ECFS-00000468 AMENDMENT ONE  
DIVISION INVOICE 24-25-5-21-012-0**

**TO THE MASTER CONTRACT HHS-PHSD-00000525  
EFFECTIVE JULY 1, 2019 TO JUNE 30, 2026  
BETWEEN THE STATE OF MONTANA,  
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES  
AND LEWIS AND CLARK COUNTY**

WIC Program Services

**SECTION 1. PARTIES**

This Task Order Amendment is entered into between the Montana Department of Public Health and Human Services, ("Department"), 1625 11<sup>th</sup> Ave., Helena, Montana, 59601, Phone Number (406) 444-5623, Fax Number (406) 444-1970, and **Lewis and Clark County** ("Contractor"), Federal ID Number 81-6001383, UEI number LV3VYFCZSK88, and 1930 9<sup>th</sup> Avenue, Helena, Montana 59601, Phone Number (406) 457- 8912, Fax Number (406) 457-8990; respectively (collectively, the "Parties").

Effective October 1, 2024, or upon execution, this Task Order is amended as follows. Existing language has been struck; amended language underlined.

**SECTION 2. PURPOSE**

The purpose of this Task Order is to provide nutrition education, breastfeeding support, supplemental foods, and referrals to community resources to eligible women, infants, and children up to 5 years old. The region served by this Contractor is Lewis and Clark, Broadwater, Jefferson and Meagher Counties and possible residents of surrounding counties. The Contractor may serve any eligible participants who live in Montana and choose to obtain services at this site.

**SECTION 3. TERM OF TASK ORDER**

- A. The term of this Task Order for the purpose of delivery of services is from October 1, 2023 through September 30, 2025.
- B. Remains unchanged.

**SECTION 5. CONSIDERATION, PAYMENTS, AND PROGRESS PAYMENTS**, will be amended as follows:

- A. In consideration of the services provided through this Task Order, as invoiced using Division Invoice Number 24-25-5-21-012-0, the Department will pay the Contractor for services rendered up to a total of:

~~\$320,820~~ \$628,550 for general WIC services, a total of  
~~\$1,578~~ \$3,132 for Farmers Market Nutrition Program, and a total of  
~~\$15,312~~ \$30,507 for Breastfeeding Peer Counselor Services ~~for the federal fiscal year.~~

The **total** of funds for all sources payable to the Contractor throughout the term of this Task Order for all services is ~~\$337,710~~ **\$662,189**.

The following are provisions for general WIC NSA funding; for FMNP and BFPCP please see attachments C-F:

1. Will remain unchanged.

B and C. Will remain unchanged.

## SECTION 7. CFR 200 REQUIREMENTS

The following information *may* be required pursuant to 2 CFR 200:

A. 1. Sub recipient name: Lewis & Clark County  
2. Sub recipient Unique Entity Identifier: LV3VYFCZSK88  
3. FAIN number: 243MT705W1003; 243MT852Y8607; 223MT805W5003  
4. Federal award date: 10/1/23  
5. Federal award start and end date: 10/1/23-9/30/24  
6. Total amount of funds obligated with this action: \$337,710  
7. Amount of funds obligated to sub recipient: \$337,710  
8. Total amount of the federal award: ~~\$337,710~~ \$9,841,926  
9. Project description: WIC Services  
10. Awarding agency/pass-through entity/contact info:  
11. CFDA number/name: 10.557, 10.572, and 10.557  
12. Research and Development: No  
13. Indirect cost rate: ~~The State of Montana, DPHHS has a federally approved cost allocation plan.~~ NA

B. 1. Sub recipient name: Lewis & Clark County  
2. Sub recipient Unique Entity Identifier: LV3VYFCZSK88  
3. FAIN number: 253MT705W1003  
4. Federal award date: \*To be updated when FY25 NOA is Issued\*  
5. Federal award start and end date: 10/1/2024-9/30/2025  
6. Total amount of funds obligated with this action: \$324,479.00  
7. Amount of funds obligated to sub recipient: \$324,479.00  
8. Total amount of the federal award: \$6,981,266.00  
9. Project description: WIC County/Area Services  
10. Awarding agency/pass-through entity/contact info: USDA-FNS; MT DPHHS-ECFS Division; (866) 239-0458  
11. CFDA/ALN number/name: 10.557  
12. Research and Development: No  
13. Indirect cost rate: N/A

## SECTION 13. SCOPE OF TASK ORDER AMENDMENT

All of the provisions of the Master Contract and Task Order Number HHS-ECFS-00000468 are incorporated into and are controlling as to this Task Order except those provisions specifically addressed in this Amendment. In the case of a material conflict, a dispute, or confusing language between this Task Order Amendment One, Master Agreement, and the Original Task Order, the Master Agreement and this Task Order Amendment shall control unless specifically set forth in this Amendment. Any material conflict, dispute or confusing language between the Master Agreement and this Amendment, the Master Agreement shall control unless specifically set forth in this Amendment.

This Task Order Amendment One consists of 4 numbered pages and the following Attachments:

- Attachment A: WIC Expenditure Report FY25
- Attachment B: Equipment Agreement
- Attachment C: WIC Breastfeeding Model
- Attachment D: Breastfeeding Peer Counselor Program (BFPCP) Allowable Costs
- Attachment E: BFPCP Expenditure Report No longer in use (See Attachment A)
- Attachment F: Farmers Market Nutrition Program (FMNP) Scope of Work
- Attachment G: FMNP Expenditure Report No longer in use (See Attachment A)
- Attachment H: Annual FFATA Forms Amendment One

#### **SECTION 14. AUTHORITY TO EXECUTE**

Each of the parties represents and warrants that this Task Order Amendment is entered into and executed by the person so authorized to bind the party to the provisions of ~~this~~ the referenced Task Order, this Task Order Amendment, and the Master Contract.

IN WITNESS THEREOF, the parties through their authorized agents have executed this Task Order Amendment on the dates set out below:

Remainder of Page Intentionally Left Blank

**MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES**

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Tracy Moseman, ECFS Division Administrator

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Charles T. Brereton, Director

**MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, EARLY CHILDHOOD  
AND FAMILY SUPPORT**

Approved as to Form:

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
Contract Officer

**CONTRACTOR**

BY: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTEST**

On this day of, 20\_\_\_\_ I hereby attest the above-written signature of the Board of Lewis & Clark  
County Commissioners.

\_\_\_\_\_  
Amy Reeves, Clerk & Recorder

# ATTACHMENT A

## WIC Expenditure Report FY25

### WIC: Summary of Expenditures

Contractor: \_\_\_\_\_ Agency Name \_\_\_\_\_  
Contract Number: 2525521....

Budget Category	Budget A: October 1, 2024 - September 30, 2025															
	Total Year 1 Budget	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Year To Date Expenses	Balance Remaining	Percent Expended
Personnel & Fringe	\$ -													\$ -	\$ -	
Audit	\$ -													\$ -	\$ -	
Communications	\$ -													\$ -	\$ -	
Dues & Subscriptions	\$ -													\$ -	\$ -	
Insurance	\$ -													\$ -	\$ -	
Occupancy	\$ -													\$ -	\$ -	
Operations	\$ -													\$ -	\$ -	
Supplies & Equipment	\$ -													\$ -	\$ -	
Travel	\$ -													\$ -	\$ -	
Professional Development	\$ -													\$ -	\$ -	
Contracted Services	\$ -													\$ -	\$ -	
Administration	\$ -													\$ -	\$ -	
Indirects	\$ -													\$ -	\$ -	
Month Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Year to date Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			

### WIC Monthly Expenditure Report - Budget A NSA

Contractor:	Agency Name
Contract or Task Order Number:	2525521....
Submit report to:	Lacy Little: lalittle@mt.gov

Invoice Month	Oct-24	<<< Select Dropdown
Budget Category	Amount Expended	Narrative describing expenditures in detail for each budget category
Personnel & Fringe	\$ -	
Audit		
Communications		
Dues & Subscriptions		
Insurance		
Occupancy	\$ -	
Operations	\$ -	
Supplies & Equipment	\$ -	
Travel	\$ -	
Professional Development		
Contracted Services		
Administration		
Indirects		
Total Expenditures	\$ -	

Note: A Summary tab to the left has been created to track monthly expenditures against your budget. To use:

1. Enter Year 1 Budget in Column G of SUMMARY Tab
2. Complete Monthly Budget Report.
3. Copy cells C8 to C20 in this tab when finished.
4. Select SUMMARY tab.
5. Right-click on cell underneath corresponding month.
6. Select Paste Values (clipboard with "123")

Contractor Approval  
**REQUIRED SIGNATURES** (may be original or electronic)  
The signatures below should be for two different people.

Fiscal Officer Signature

Date

Authorized Representative Signature

Date

STATE USE	
Date report received:	
Amount of \$ released prior to report	\$ -
Feedback to site needed (Yes or No)	
Approved by financial specialist (date and initials):	
Approved by program manager (date and initials):	
Notes:	
Funding released	\$ -

## Salaries

[illegible]

Total Fringe:	\$ -
---------------	------

Grand Total	\$ -
-------------	------

\*Please include pay period dates in the narrative and note anything out of the ordinary ie Nov is a 3 pay period month

**Salaries Guidance:** List all staff funded (supervisors, administrative, support staff, data entry) under the contract. Include FTE, job title/position funded under the grant, and hourly rate or salary. The hours/time reflected in the costs should reflect actual time worked.

### Fringe

Name	Position	FTE	Amount
		Total	\$ -

\*Include explanation of what fringe consists of in narrative and the percentage it is budgeted for.

**Fringe Guidance:** List all fringe benefits for all staff funded with funding source being reported.

*Reporting in Narrative Example:*

- Employee benefits are calculated at 30% of salary/wage costs and include health care costs, life insurance, retirement benefits, sick leave, vacation, and personal leave.

## Operations

<b>Item &amp; Description</b>	<b>Amount</b>
<b>Total</b>	\$ -

\*Include explanation of what operation consists of in narrative.

**Operations Guidance:** This category is for other expenses that do not fit in the other categories. Provide an explanation of each cost in this category. Utilities, insurance and other business operations that fall under this category if they are not included with the administrative costs. This category includes administrative costs, which are costs incurred for common or joint objectives which cannot be readily identified but are necessary to the operations of the organization, e.g., the cost of operating and maintaining facilities.

## Occupancy

Agreement	Amount	Description
<b>Total</b>	<b>\$ -</b>	

\*Include explanation of what operation consists of in narrative.

*Occupancy guidance: This should include any costs for Utilities, Telephones, Rent, Cleaning Services, etc.*



**Supplies (less than \$5,000)**[illegible]

**Equipment (\$5,000 or more)**

[illegible]

Grand Total:	\$	-
--------------	----	---

\*List supplies separately

**Supplies Guidance:** Describe all supplies purchased in the month and note how and when purchased supplies are related to the model guidance and/or activities. "Office supplies" is not descriptive enough; more detail must be included about what was purchased (markers, toner, pens, paper, etc.).

## Travel

### Conferences and Per Diem

Name	Number of Days	Conference Cost	Travel Cost	Per Diem Meals	Per Diem Lodging	Total	Description of Travel *
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
						-	
<b>Total</b>						-	

### Professional Training

Name	Number of Days	Course Cost	Total	Description of Training
			-	
			-	
			-	
			-	
			-	
			-	
<b>Total</b>			-	

### Mileage

Name	Miles	Rate Per Mile	Total
			-
			-
			-
			-
			-
			-
			-
<b>Total</b>			-

### Other Travel Cost

Item	Cost	Description of Cost
<b>Total</b>		-

<b>Total Travel</b>	-
---------------------	---

\*Include what each travel charge is for in narrative (training, meeting, etc)

Travel Guidance: Report all travel that occurred in the month and associated costs.

Narrative Examples:

- Mileage for home visits, 224 miles. Quarterly Meeting travel for 2 people: 2 nights hotel, per diem was for 3 days.
- Travel expenses for training in St. Louis, MO, which includes airfare, accommodations, per diem, registration, and training costs.

## ATTACHMENT H

### ANNUAL FFATA FORMS AMENDMENT ONE

#### **FFATA COMMON DATA ELEMENTS AND COMPENSATION REPORT**

DPHHS-FB-180  
Rev. 7/13/23

**State of Montana  
Department of Public Health and Human Services  
Business and Financial Services Division**

**Federal Funding Accountability and Transparency Act  
FFATA Summary: FFATA Common Data Elements Report  
Section 1: Sub-Award Information Required for Reporting**

This report must be completed upon contract obligation of >\$30,000.

<b>MT Item</b>	<b>MT Data Element</b>	<b>Insert Data</b>	<b>Description</b>
FFATA-1-01	Subrecipient UEI Number	LV3VYFCZSK88	Provide subrecipient organization's 12-digit Data Universal Numbering System (UEI) number or Central Contractor Registration plus 4 extended UEI number.
FFATA-1-02	DPHHS Contract Number	24-25-5-21-012-0 HHS-ECFS-00000468	Provide contract/grant/award number (if any) assigned to the subrecipient award by recipient.
FFATA-1-02-A	Grant Award Name	Insert Grant Award Name	Provide grant/award name assigned by the federal government (i.e. Child Abuse; VR-Independent Living; Immunization; Primary Care; Substance Abuse, etc).
FFATA-1-03	Subrecipient Name	Insert Subrecipient Name	Provide legal name of subrecipient as registered in the Central Contractor Registration ( <a href="http://www.sam.gov">www.sam.gov</a> ).
FFATA-1-04-A	Address Line 1	Insert Address	Physical location as listed in Central Contractor Registration.
FFATA-1-04-B	Address Line 2	Insert Address	
FFATA-1-04-C	City	Insert City	
FFATA-1-04-D	State	Insert State	
FFATA-1-04-E	Zip+4	Insert Zip	

FFATA-1-04-F	Congressional District	Insert Congressional District	01 or 02 for District if MT.
FFATA-1-05	CFDA/ALN (Catalog of Federal Domestic Assistance) Number	Insert CFDA Number	If not known, DPHHS will complete.
FFATA-1-06	Total Contract	Insert Contract Value	Provide total amount obligated to subawardee or subcontractor for contract period indicated.
FFATA-1-07	Contract Period	Insert Contract Period	Indicate project/grant period established in subaward document during which sponsorship begins and ends. For multi-year awards for a project/grant period (e.g., 5 years) funded in increments known as budget periods or funding periods, provide total project/grant period, not individual budget period or funding period.
FFATA-1-08-A	Primary Performance City	Insert Performance City	Provide City of primary performance.
FFATA-1-08-B	Primary Performance County	Insert Performance County	Provide County of primary performance.
FFATA-1-08-C	Primary Performance State	Insert Performance State	Provide State of primary performance.
FFATA-1-08-D	Primary Performance Zip+4	Insert Performance Zip	Provide Zip of primary performance.
FFATA-1-08-E	Congressional District	Insert Congressional District	Provide Congressional District of primary performance.
FFATA-1-09	Funding Agency	Insert Funding Agency	If not known, DPHHS will complete.
FFATA-1-10	Brief Description of Purpose of Funding Action	Insert Purpose	

**State of Montana**  
**Department of Public Health and Human Services**  
**Business and Financial Services Division**

**Federal Funding Accountability and Transparency Act**  
**FFATA Summary: FFATA Common Data Elements Report**  
**Section 2: Officers/Executive Compensation Report**

This section must be completed upon contract obligation of >\$30,000 and yearly thereafter.

**CONTRACT TITLE:** WIC Program Services Lewis and Clark County Amendment One  
**DPHHS CONTRACT #:** 24-25-5-21-012-0, HHS-ECFS-00000468  
**UEI #:** LV3VYFCZSK88  
**SUBMITTED BY:** Insert Name and Title  
**INSERT DATE:** Insert Submission Date  
**Is Subrecipient (Contractor) Exempt?** Insert Yes or No

	Name	Total Compensation	Title
1.	Insert Name	Insert Amount	Insert Title
2.	Insert Name	Insert Amount	Insert Title
3.	Insert Name	Insert Amount	Insert Title
4.	Insert Name	Insert Amount	Insert Title
5.	Insert Name	Insert Amount	Insert Title

**RETURN FFATA FORMS TO:**  
**DPHHS**  
**ATTN: BFSD-FFATA REPORTING**  
**PO Box 4210**  
**Helena, MT 59604-4210**  
or  
e-Mail: [hhsffata@mt.gov](mailto:hhsffata@mt.gov)

DPHHS has compiled some of the information required on the FFATA forms. The remaining information must be provided by you, the contractor. Failure to provide this information could result in a delay in issuing payments and may be considered breach of the contract.

**CONTRACTOR**

BY: \_\_\_\_\_  
Authorized Signer

Date: \_\_\_\_\_



Amendment No. 2 to Grant Award Agreement Between Lewis and Clark County and the Montana Department of Natural Resources and Conservation. (Ann McCauley)

Presented By:

Summary:

The Commissioners will consider Amendment No. 2 to an American Rescue Plan Act (ARPA) Minimum Allocation Grant Award from the Montana Department of Natural Resources and Conservation for water/sewer upgrades for the Ten Mile/Pleasant Valley Water and Sewer District. Amendment No. 2 amends the project period to end March 31, 2025, and adds construction activities to the project scope.

Legal Review Required:

### **LEWIS AND CLARK COUNTY GRANTS APPROVAL FORM**

<b>Grant name:</b>	American Rescue Plan Act - Minimum Allocation for Water/Sewer Infrastructure
<b>Grant/Contract number:</b>	AM-22-0075
<b>Funding source:</b>	
<b>Federal Agency:</b>	U.S. Department of Treasury
<b>State Agency:</b>	MT Department of Natural Resources and Conservation
<b>ARRA funding?</b>	No
<b>Award amount:</b>	\$125,000 (no new funds being added, total award remains \$125,000)
<b>Hard Match required:</b>	\$125,000 (no new match being added)
<b>Soft Match required:</b>	N/A
<b>Indirect Cost Rate amount:</b>	
<b>Grant/Contract Period:</b>	<b>Start:</b> 3/3/2021 <b>End:</b> 3/31/2025

**Catalog of Federal Domestic Assistance number:** 21.027

**Separate fund needed for accounting purposes?** No

**Is this project in the current fiscal budget?** Yes

*If no, fill out and attach supplemental budget amendment form.*

**Are non federal assets (>\$15,000) going to be purchased?** No

**Are federal assets (>\$5,000) going to be purchased?** No

**Does Grant/Contract require interest to be earned?** No

**Grant/Contract based on:** a  
reimbursement

**Contact Person/Phone number:** Carrie Lutkehus/406.457.8856

**County Department:** Grants

**County Assigned Project number:** MA2103

**Salaries to be paid by grant?** No

#### **ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Amendment #2_AM-22-0075	Attachment



## Grants and Purchasing Department

### Lewis and Clark County

406 Fuller Ave., Ste. 361 Helena, MT 59601

Phone: 406-447-8383

e-mail: [grants@lccountymt.gov](mailto:grants@lccountymt.gov)

## **STAFF REPORT**

**Date:** October 8, 2024  
**To:** Board of County Commissioners  
**From:** Ann McCauley, Grants and Purchasing Director  
**RE:** Amendment No. 2 to Grant Award to Lewis and Clark County from the Montana Department of Natural Resources and Conservation

---

**County Commission Hearing:****Thursday, Oct. 17, 2024 --- 9:00 a.m.**

---

### **I. EXECUTIVE SUMMARY:**

Lewis and Clark County and the Montana Department of Natural Resources and Conservation are proposing a second amendment for the implementation of an American Rescue Plan Act (ARPA) Minimum Allocation Grant award. Through this award, Ten Mile/Pleasant Valley Water and Sewer District has installed a chemical pH adjustment system to enable the District to meet permit effluent limits for pH in their wastewater treatment process.

The amendment extends the period of performance to March 31, 2025, and adds construction work for road base improvement from the entrance of the treatment site to the maintenance building and erosion mitigation at lagoon cell 3.

The ARPA Expenditure Category is *5.1 Clean Water: Centralized Wastewater Treatment*.

### **II. REQUEST:**

To approve the grant award Amendment No. 2 from the Montana Department of Natural Resources and Conservation for the Ten Mile/Pleasant Valley Water and Sewer District ARPA Minimum Allocation grant.

### **III. STAFF RECOMMENDATION:**

Approval.

### **IV. ATTACHMENTS:**

DNRC Agreement #AM-22-0075\_Amendment 2



FOR DNRC USE ONLY

Maximum Amount under this Grant: \$125,000.00

## Source of Funds

Fund Name	Fund No.
ARPA State Recovery Section 602	03920

Subclass	Org. No.	Amount
54042	34223075M	\$125,000.00

Appropriation Authority: 67<sup>th</sup> Legislature 2021 HB632

## Approved

No. AM-22-0075

Amend No. 2

Division AM

Legal



## AMENDMENT NO. 2

**THIS AMENDMENT** is made and entered into by and between the Montana Department of Natural Resources and Conservation's (DNRC) Conservation and Resource Development Division hereinafter called "DNRC", and Lewis and Clark, County of hereinafter called the "Recipient" and represented by **Andy Hunthausen, Commission Chair**, and successors, 316 North park Avenue, Helena, MT 59623 bocc@lccountymt.gov, (406) 447-8304.

The parties to this Agreement in consideration of the mutual covenants and stipulations set out herein hereby agree as follows:

THAT because additional time is needed, **SECTION 2. TERM** is hereby amended as follows:

**SECTION 2. TERM.** The effective date of this Agreement is the date of last signing and ends March 31, 2025. As set forth in the Treasury's Federal Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Interim Final Rule 86 Fed. Reg. 26786 ("Rule") and associated guidance issued on May 10, 2021, Subrecipient may use award funds to cover eligible costs incurred during the period that began on March 3, 2021, and ends on December 31, 2026. This agreement remains in effect until all reporting requirements as described in **SECTION 8. REPORTS** have been received by DNRC.

THAT because the County has identified additional work to add to the project to fully exhaust the ARPA grant funds available, **SECTION 4. PROJECT SCOPE.** and **SECTION 5. PROJECT BUDGET.** are hereby amended as follows:

**SECTION 4. PROJECT SCOPE.** The scope of work for this project is amended as described in Attachment A and incorporated herein by this reference. Supporting documents and attachments from the **American Rescue Plan Act** Program Application dated October 2021 are also incorporated herein by this reference. In the event content in the application differs from or conflicts with terms presented elsewhere in this Agreement, this Agreement text takes precedence.

**SECTION 5. PROJECT BUDGET.** A project budget showing anticipated expenditures is provided in Attachment B and incorporated herein by this reference. All transfers of funds between budget categories require written notification and approval from the DNRC liaison. A transfer of funds between budget categories exceeding 10% of the total grant will require an amendment of the agreement. Requests to modify the approved budget must be submitted in writing to the DNRC liaison for approval and must be made in advance of reimbursement requests.

All other terms and conditions remain unchanged and continue in full force and effect. This Amendment consists of five (5) pages.

To express the parties' intent to be bound by the terms of this Agreement they have executed this document on the dates set out below.

A facsimile, photocopy or electronic copy of the signature below shall have the same force and effect as an original signature and an electronic signature shall be regarded as an original signature.

**Recipient:**

By: \_\_\_\_\_  
Recipient Signature

Andy Hunthausen, Commission Chair  
\_\_\_\_\_  
Recipient Print Name and Title

For: Lewis and Clark, County of  
Entity Name

81-6001383  
Entity Tax ID #

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Amy Reeves  
Clerk and Recorder

**Department of Natural Resources and Conservation:**

By: \_\_\_\_\_  
DNRC Signature

\_\_\_\_\_  
Print Name and Title

For: The Montana Department of Natural Resources and Conservation

\_\_\_\_\_  
Date

## **Attachment A - Scope of Work**

### **Lewis and Clark Ten Mile Creek/Pleasant Valley Wastewater Improvement Project**

#### **Background**

The Ten Mile Creek Estates Subdivision (Subdivision) and Pleasant Valley Water and Sewer District (District) are located within Lewis and Clark County (County). Maintenance holes located in the Subdivision show inflow and infiltration from seepage within existing concrete base sections based on visual evidence. The original maintenance hole bases were constructed using cast-in-place methods and these sections are not watertight. The base/barrel interfaces and the pipe penetrations also show evidence of seepage into the sewer pipes.

Groundwater adds several thousand more gallons per day of non-system flows to the sewer system. If a maintenance hole is not watertight and subject to infiltration during periods of high groundwater, it is also subject to leakage, exfiltration, and contamination of the groundwater. The subdivision and the District's water supply wells are also located near the problematic leaking maintenance holes. The subdivision's water levels are hydro geologically connected to the local groundwater table. Studies indicate that when stream levels increase in the Creek, groundwater levels rise, and the sewer flow rates correspondingly increase.

The District is exceeding the effluent discharge permit limits for potential hydrogen (pH) on a recurring basis on their batch discharges (>9.0). The cause of pH exceedances is considered to be the result of algae and bio growth in the ponds. Addressing the pH situation by adding chemicals to the surface of the pond is cost prohibitive due to the large area of the ponds, and large quantity of chemicals needed, and this may adversely impact the water biology and chemistry. The District will need to make modifications to the treatment methods at the effluent discharge pumping system to limit future violations. Addressing the pH at the point of discharge can be done with lower doses of chemicals and can be controlled by pacing with the effluent flow meter.

#### **Scope of Work**

The Lewis and Clark County, Ten Mile Creek/Pleasant Valley Wastewater Improvement Project will protect groundwater and surface water by reducing the impacts of both infiltration into the sewer system and potential exfiltration and contamination of the groundwater from the sewer system. The Phase 2 project will also enable the District to meet permit effluent limits for pH and better project Prickly Pear Creek as the receiving stream with a higher quality effluent from the lagoons. ARPA Grant funds will reimburse eligible expenses for professional services, engineering, resident project representative, and construction associated with the following activities:

- Phase 2- installation of a chemical pH adjustment system that includes:
  - Installation of a chemical pump skid system
  - Installation of a new 4" ductile iron pipe spool piping with connections an air release valve (ARV), pressure gauge, and sample tap.
  - Installation of a chemical injection quill assembly with integral static mixer fitting.
  - Installation of two (2) (primary and stand-by) chemical tanks
  - Improvement of the pump house building to fully insulate and finish the walls with industrial rated drywall.
- **Construction Work to be added:**
  - Place 8" thick additional rip rap in lagoon cell 3 over eroded areas.
  - Place 4" thick of additional road base gravel to the effluent/chemical building from the main entrance.

Facilities will be designed and constructed in accordance with sound engineering practices and will meet the requirements of Federal, State, and local agencies.

#### **Schedule**

- Phase 2 Project Planning and Design Phase completed June 2024.
- Phase 2 Project Bidding Phase estimated to be completed July 2024.
- Phase 2 Project Construction Phase completed by November 2024.

### Attachment B – Budget

Lewis and Clark Ten Mile Creek/Pleasant Valley Wastewater Improvement Project

Tasks	ARPA Minimum Allocation Grant Funds	Match Funds	Total
<b>Professional Services</b>	\$10,590.21	\$4,574.25	\$15,164.46
<b>Construction</b>			
Engineering	\$17,909.79	\$13,505.28	\$31,415.07
Resident Project Representative	\$6,500.00	\$4,959.25	\$11,459.25
Construction	\$90,000.00	\$101,676.33	\$191,676.33
Contingency	\$0.00	\$284.89	\$284.89
<b>Total</b>	<b>\$125,000.00</b>	<b>\$125,000.00</b>	<b>\$250,000.00</b>

Summary of Match Funding	
Funding Source	Amount
Renewable Resource Grant	\$125,000.00
<b>Total</b>	<b>\$125,000.00</b>



Amendment No.1 to Subrecipient Agreement Between Lewis and Clark County and Ten Mile/Pleasant Valley Water-Sewer District. (Ann McCauley)

Presented By:

Summary:

The Commissioners will consider an amendment for the Ten Mile/Pleasant Valley Water and Sewer District to execute an American Rescue Plan Act (ARPA) Minimum Allocation Grant for Water/Sewer Infrastructure. This amendment extends the period of performance to March 31, 2025, and adds construction work.

Legal Review Required:

### **LEWIS AND CLARK COUNTY GRANTS APPROVAL FORM**

<b>Grant name:</b>	American Rescue Plan Act, State Fiscal Recovery Funds, Minimum Allocation Grant for Water/Sewer Infrastructure
<b>Grant/Contract number:</b>	LCC-MA-2103
<b>Funding source:</b>	
<b>Federal Agency:</b>	US Treasury
<b>State Agency:</b>	MT Dept. of Natural Resources and Conservation
<b>ARRA funding?</b>	No
<b>Award amount:</b>	125,000
<b>Hard Match required:</b>	125,000
<b>Soft Match required:</b>	
<b>Indirect Cost Rate amount:</b>	
<b>Grant/Contract Period:</b>	<b>Start:</b> 3/3/2021 <b>End:</b> 3/31/2025

**Catalog of Federal Domestic Assistance number:** 21.027

**Separate fund needed for accounting purposes?** No

**Is this project in the current fiscal budget?** Yes

*If no, fill out and attach supplemental budget amendment form.*

**Are non federal assets (>\$15,000) going to be purchased?** No

**Are federal assets (>\$5,000) going to be purchased?** No

**Does Grant/Contract require interest to be earned?** No

**Grant/Contract based on:** a  
reimbursement

**Contact Person/Phone number:** Carrie Lutkehus/406.457.8856

**County Department:** Grants

**County Assigned Project number:** MA2103

**Salaries to be paid by grant?** No

#### **ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Staff Report_Amend 1_TMPV	Staff Report
<input type="checkbox"/> Amendment 1_TMPV	Attachment



## Grants and Purchasing Department

### Lewis and Clark County

406 Fuller Ave., Ste. 316 Helena, MT 59601

Phone: 406-447-8383

e-mail: [grants@lccountymt.gov](mailto:grants@lccountymt.gov)

## **STAFF REPORT**

**Date:** October 8, 2024

**To:** Board of County Commissioners

**From:** Ann McCauley, Grants and Purchasing Director

**RE:** Amendment #1 to Subrecipient Agreement between Lewis and Clark County and Ten Mile Creek Estates/Pleasant Valley Water and Sewer District

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**County Commission Hearing:****Thursday, Oct. 17, 2024 --- 9:00 a.m.**

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### **I. EXECUTIVE SUMMARY:**

Lewis and Clark County (County) and Ten Mile Creek Estates/Pleasant Valley Water and Sewer District are proposing an amendment for the implementation of an American Rescue Plan Act (ARPA) Minimum Allocation Grant award. Through this award, Ten Mile/Pleasant Valley Water and Sewer District has installed a chemical pH adjustment system to enable the District to meet permit effluent pH limits in their wastewater treatment process.

The amendment extends the period of performance to March 31, 2025, and adds construction work for road base improvement from the entrance of the treatment site to the maintenance building and erosion mitigation at lagoon cell 3.

The ARPA Expenditure Category is *5.1 Clean Water: Centralized Wastewater Treatment*.

### **II. REQUEST:**

To approve Amendment #1 the subrecipient agreement between Lewis and Clark County and Ten Mile/Pleasant Valley Water and Sewer District for execution of the ARPA Minimum Allocation grant.

### **III. STAFF RECOMMENDATION:**

Approval.

### **IV. ATTACHMENTS:**

Subrecipient Agreement #LCC-MA-2103\_Amendment 1



**AMENDMENT #1 TO SUBRECIPIENT AGREEMENT #LCC-MA-2103  
TO PROVIDE AMERICAN RESCUE PLAN ACT FUNDING  
FOR WATER AND/OR SEWER INFRASTRUCTURE**

THIS SUBRECIPIENT AGREEMENT is entered into by Lewis and Clark County, a political subdivision of the State of Montana, herein "County", and Ten Mile Creek Estates/Pleasant Valley Water and Sewer District, herein "Subrecipient," whose address is P.O. Box 4388, Helena, MT 59604 and Unique Entity Identifier (UEI) is WXHGSKLRJF7.

The County and the Subrecipient mutually agree to amend Subrecipient Agreement #LCC-MA-2103 executed on March 23, 2023, as follows. All other provisions of Subrecipient Agreement #LCC-MA-2103 remain in full force and effect.

1. Section 2, SCOPE OF WORK is replaced in its entirety as follows:
  2. SCOPE OF WORK: Subrecipient will be responsible for administering and completing the awarded project in accordance with attached Exhibit B and in a manner satisfactory to the County and consistent with any standards required as a condition of providing these funds.
2. Section 5, EFFECTIVE DATE AND TIME OF PERFORMANCE is replaced in its entirety as follows:
  5. EFFECTIVE DATE AND TIME OF PERFORMANCE: This Agreement shall take effect upon execution by the parties and will terminate on March 31, 2025, unless otherwise terminated by law or in compliance with the terms of the Agreement.

The Subrecipient must incur all authorized expenses to be reimbursed between March 15, 2021, and March 31, 2025. All requests for reimbursement must be submitted to the County within forty-five (45) days after March 31, 2025.

The County reserves the right to extend this Agreement based on, but not limited to, the Subrecipient's performance on the contracted activities and the Subrecipient's compliance with program requirements.
3. Exhibit A and Exhibit B are to be replaced. Please refer to Amended Exhibit A-1 and Amended Exhibit B-1 attached to this Agreement and incorporated herein by this reference.

**Exhibits:**


- Exhibit A-1: 2 CFR §200.331 Information
- Exhibit B-1: Scope of Work

IN WITNESS WHEREOF, the County and the Subrecipient have executed this Agreement.

LEWIS AND CLARK County:

Subrecipient:

\_\_\_\_\_  
Andy Hunthausen, Chair  
Board of County Commissioners  
Lewis and Clark County

  
\_\_\_\_\_  
Tom Stockton, President  
Pleasant Valley WSD

\_\_\_\_\_  
Date

\_\_\_\_\_  
ATTEST:

\_\_\_\_\_  
Amy Reeves, Clerk and Recorder

**Exhibit A-1: Information Required Under 2CFR §200.331**

Requirements for Pass-Through Entities	
<b>Subrecipient Name</b>	Ten Mile Creek Estates/Pleasant Valley Water and Sewer District
<b>Subrecipient's UEI</b>	UEI: WXHGSKLRJF7
<b>Federal Assistance Listing</b>	21.027
<b>Federal Award Identification Number (FAIN)</b>	SLFRP4035
<b>Federal Award Date to the Recipient by the Federal Agency, or designee</b>	3/11/2021
<b>Subaward Period of Performance Start and End Date</b>	March 3, 2021 – March 31, 2025
<b>Amount of Federal Funds Obligated by this action by the Pass-Through Entity to the Subrecipient</b>	\$125,000
<b>Total Amount of Federal Funds Obligated to the Subrecipient by the Pass-Through Entity including the current obligation</b>	\$125,000
<b>Eligible ARPA Expenditure Category</b>	5.1 Clean Water: Centralized Wastewater Treatment
<b>Name of Federal Awarding Agency</b>	U.S. Department of the Treasury
<b>Name of Pass-Through Entity</b>	Lewis and Clark County, MT
<b>Contact Information for Awarding Official of the Pass-Through Entity</b>	Carrie Lutkehus ARPA Program Specialist 406.457.8856 <a href="mailto:clutkehus@lccountymt.gov">clutkehus@lccountymt.gov</a>
<b>Indirect Cost Rate for the Federal Award</b>	N/A
<b>Contact Information for Subrecipient, including name(s) and title(s) of appropriate persons in Subrecipient's organization; mailing address for notices to Subrecipient; telephone number(s) and email addresses.</b>	Thomas Stockton President PO Box 4388 Helena, MT 59604 406.465.3487 <a href="mailto:stockton.thomas@gmail.com">stockton.thomas@gmail.com</a>

## **Exhibit B-1: Scope of Work and Implementation Schedule**

### **Background**

The Ten Mile Creek Estates Subdivision (Subdivision) and Pleasant Valley Water and Sewer District (District) are located within Lewis and Clark County (County). The subdivision's water levels are hydro-geologically connected to the local groundwater table. Studies indicate groundwater levels rise when stream levels increase in the Creek, and the sewer flow rates correspondingly increase.

The District is regularly exceeding the effluent discharge permit limits for potential hydrogen (pH) on their batch discharges (>9.0). The cause of pH exceedances is considered to be the result of algae and biogrowth in the ponds. Addressing the pH situation by adding chemicals to the surface of the pond is cost prohibitive due to the large area of the ponds, and the large quantity of chemicals needed, and this may adversely impact the water biology and chemistry. The District will need to make modifications to the treatment methods at the effluent discharge pumping system to limit future violations. Addressing the pH at the point of discharge can be done with lower doses of chemicals and can be controlled by pacing with the effluent flow meter.

### **Scope of Work**

The Lewis and Clark County, Ten Mile Creek/Pleasant Valley Wastewater Improvement Project will protect groundwater and surface water by reducing the impacts of both infiltration into the sewer system and potential exfiltration and contamination of the groundwater from the sewer system. The Phase 2 project will also enable the District to meet permit effluent limits for pH and better protect Prickly Pear Creek as the receiving stream with a higher quality effluent from the lagoons. ARPA Grant funds will reimburse eligible expenses for professional services, engineering, resident project representative, and construction associated with the following activities:

- Phase 2 - installation of a chemical pH adjustment system that includes:
  - Installation of a chemical pump skid system
  - Installation of a new 4" ductile iron pipe spool piping with connections to an air release valve (ARV), pressure gauge, and sample tap
  - Installation of a chemical injection quill assembly with integral static mixer fitting.
  - Installation of two (2) (primary and standby) chemical tanks
  - Improvement of the pump house building to fully insulate and finish the walls with industrial-rated drywall
- Construction Work:
  - Place 8" thick additional rip rap in lagoon cell 3 over eroded areas
  - Place 4" thick of additional road base gravel to the effluent/chemical building from the main entrance

Facilities will be designed and constructed following sound engineering practices and will meet the requirements of Federal, State, and local agencies.