



NOTICE OF PUBLIC MEETING

The Lewis and Clark County Commissioners Public Meeting will be held on Thursday, February 27, 2025, at 9:00 AM in Commission Chambers, Room 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**

- a. Vendor Claims Report for Week Ending February 28, 2025. (Marni Bentley)
- b. Public Meeting Minutes for February 4, 6, 11, 13, 2025. (Brandi Spangler)
- c. Yearly Fuel Tax Certification of Roadway Mileage. (Eric Spangenberg)

3. **Bid Opening. Rimini Water Distribution Services. (Casey Hayes)**

The Commissioners will consider opening the bids.

4. **Bid Opening. Highway 435 Crack, Chip, Paint. (Audra Zacherl)**

The Commissioners will consider opening the bids.

5. **Bid Opening. Murray MAU Replacement. (Audra Zacherl)**

The Commissioners will consider opening the bids.

6. **Resolution 2025-14 Organizing the Helena Valley Mosquito District Board. (Christian Lehnert)**

The Commissioners will consider the resolution.

7. **Approval of Helena Valley Mosquito District Bylaw Update. (Christian Lehnert)**

The Commissioners will consider approving the proposed updated bylaws.

8. **Resolution 2025-15 Organizing the Craig-Wolf Creek Mosquito District Board.**

(Christian Lehnert)

The Commissioners will consider the resolution.

9. **Approval of Craig-Wolf Creek Mosquito District Bylaw Update. (Christian Lehnert)**

The Commissioners will consider approving the proposed updated bylaws.

10. **Letter of Intent for Grant Application to the Treacy Foundation for the Unionville Schoolhouse Rehabilitation. (Pam Attardo)**

The Commissioners will consider the Letter of Intent to submit a grant application to the Treacy Foundation in the amount of \$40,000 for the Unionville Schoolhouse Rehabilitation.

11. **Order an Investigation for the Petition to Abandon Roads in the Rumping Addition to Marysville. (Christal Ness)**

The Commissioners will consider ordering an investigation into the road abandonment petition for the Rumping Addition to Marysville.

12. **Board Appointment. (Roger Baltz)**

- Information Technology & Services Board

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

14. **Adjourn**

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





ATTACHMENTS:

| Description | Type |
|-------------------------|------------|
| 2-4-25 Meeting Minutes | Attachment |
| 2-6-25 Meeting Minutes | Attachment |
| 2-11-25 Meeting Minutes | Attachment |
| 2-13-25 Meeting Minutes | Attachment |



PUBLIC MEETING

February 4, 2025
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, February 4, 2025, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Vice Chair Tom Rolfe called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Payne was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Keagan Shae, Kevin Horne, Drenda Niemann, Kellie McBride, Jillian Danesi, Dustin Noel, James Thomas, Kyle Sturgill-Simon, Rachel Ward, Connor Fitzpatrick, Frank Cornwell, Greg McNally, Casey Hayes, Amy Reeves, Ann McCauley, Theresa Ortega, Mikayla Kapphan, Connie Griffith, Kim Smith, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Resolution 2025-10 Declaring County Property Surplus Property. (Jen Garber)
- b. Resolution 2025-11 Ordering a Refund of Taxes/Fees/Assessments Paid by Justin & Bridget D Evans in the Amount of \$304.68. (Amy Reeves)
- c. Vendor Invoice to Department of Environmental Quality. (Laurel Riek)

[1:40] Roger Baltz, Chief Administrative Officer, reported on consent action items 2a-c and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Resolution 2025-9 Intent to Transfer Property Between Certain Governmental Entities. (Kevin Horne)

[3:23] Kevin Horne, Public Works Operations Manager, presented a resolution of intent to transfer property between certain governmental entities. This resolution is to surplus and transfer two snowplows to Broadwater County for a total market value of \$50,000. Legal notice will be published in the Helena Independent Record. Written public comment will be accepted through

February 19, 2025 at 4pm. A public hearing will be held February 20, 2025 at 9:00 am. in Room 330 of the City-County Building. Staff recommends approval of the resolution of intent.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Professional Services Contract with Loveland Consulting. (Drenda Niemann)

[11:49] Drenda Niemann, Public Health Officer, presented a contract with Loveland Consulting to facilitate the Community Health Improvement Planning process in the amount of \$10,000 to be completed by June 30, 2025. Staff recommends approval of the contract.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Termination of Professional Services Contract Between Lewis and Clark County and Good Samaritan Ministries. (Kellie Goodwin McBride)

[18:16] Kellie McBride, Criminal Justice Services Director, presented a termination of a contract with Good Samaritan Ministries that was to expire in June 2027 for peer support drop-in center services in the amount of \$40,000 annually. Staff recommends approval of the termination of the contract.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Professional Services Contract Between Lewis and Clark County and Good Samaritan Ministries. (Kellie Goodwin McBride)

[21:49] Kellie McBride, Criminal Justice Services Director, presented a contract with Good Samaritan Ministries in the amount of \$100,000 annually for peer support drop-in center services. The period of agreement is February 1, 2025 through January 31, 2032. Staff recommends approval of the contract.

[24:32] Theresa Ortega, Good Samaritan Director, gave an overview of Our Place Drop In Center and services offered. She shared statistics on services rendered, people assisted through those services, and partners in our community.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Request for Modification of Conditional Approval of the Arrowsmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[42:40] Rachel Ward, Planner II, presented a request to modify the conditional approval of Arrowsmith Subdivision as it relates to the public wastewater treatment system. The modification is to use a Level 2 wastewater treatment system and has since been approved by the Department of Environmental Quality (DEQ). Individual lot owners would be notified of the need to obtain a

septic tank permit to provide initial wastewater treatment before entering the sewer mains, treatment components and drain field. Notice was posted on site, sent to surrounding landowners, and published in the Helena Independent Record. Staff recommends the modification of the Findings of Fact with conditional approval and to replace language regarding a Sequencing Batch Reactor to allow for a Level 2 wastewater treatment system.

[54:44] Kim Smith, applicant, appreciates the time to get these changes approved. The subdivisions are small due to water needs and more opportunity for property ownership. The energy requirements for the Level 2 wastewater treatment system is considerably lower and will be maintained by the owner of the subdivision. They will all be installed before the properties are sold.

No public comment was received.

Commissioner Hunthausen made a motion to accept the consideration of the request and moves that the decision be scheduled for February 18, 2025. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Request for Modification of Conditional Approval of the Blacksmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[59:21] Rachel Ward, Planner II, presented a request to modify the conditional approval of Blacksmith Subdivision as it relates to the public wastewater treatment system. The modification is to use a Level 2 wastewater treatment system and has since been approved by the Department of Environmental Quality (DEQ). Individual lot owners would be notified of the need to obtain a septic tank permit to provide initial wastewater treatment before entering the sewer mains, treatment components and drain field. Notice was posted on site, sent to surrounding landowners, and published in the Helena Independent Record. Staff recommends the modification of the Findings of Fact with conditional approval and to replace language regarding a Sequencing Batch Reactor to allow for a Level 2 wastewater treatment system.

Commissioner Hunthausen made a motion to move the record from the Arrowsmith Subdivision to the Blacksmith Subdivision. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

No public comment was received.

Commissioner Hunthausen made a motion to accept the consideration of the request and moves that the decision be scheduled for February 18, 2025. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Request for Modification of Conditional Approval of the Coppersmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[1:04:50] Rachel Ward, Planner II, presented a request to modify the conditional approval of Coppersmith Subdivision as it relates to the public wastewater treatment system. The modification is to use a Level 2 wastewater treatment system and has since been approved by the Department of Environmental Quality (DEQ). Individual lot owners would be notified of the need to obtain a septic tank permit to provide initial wastewater treatment before entering the sewer mains, treatment components and drain field. Notice was posted on site, sent to surrounding landowners, and published in the Helena Independent Record. Staff recommends the modification of the Findings of Fact with conditional approval and to replace language regarding a Sequencing Batch Reactor to allow for a Level 2 wastewater treatment system.

Commissioner Hunthausen made a motion to move the record from the Blacksmith Subdivision to the Coppersmith Subdivision. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

No public comment was received.

Commissioner Hunthausen made a motion to accept the consideration of the request and moves that the decision be scheduled for February 18, 2025. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Request for Modification of Conditional Approval of the Wordsmith Subdivision. (Applicant: Kim Smith) (Planner: Rachel Ward)

[1:07:22] Rachel Ward, Planner II, presented a request to modify the conditional approval of Wordsmith Subdivision as it relates to the public wastewater treatment system. The modification is to use a Level 2 wastewater treatment system and has since been approved by the Department of Environmental Quality (DEQ). Individual lot owners would be notified of the need to obtain a septic tank permit to provide initial wastewater treatment before entering the sewer mains, treatment components and drain field. Notice was posted on site, sent to surrounding landowners, and published in the Helena Independent Record. Staff recommends the modification of the Findings of Fact with conditional approval and to replace language regarding a Sequencing Batch Reactor to allow for a Level 2 wastewater treatment system.

PUBLIC COMMENT:

[1:08:16] Janet Armstrong asked if the subdivision is individual homes, or apartments, or duplexes? She is concerned about how it will affect her property taxes.

[1:10:00] Kim Smith explained the property tax are based on improvements to the property. There are 12 lots that are duplexes and nothing more than 2 units. There are commercial lots along Canyon Ferry Drive, and the rest are single family lots.

Commissioner Hunthausen made a motion to move record from the Coppersmith Subdivision to the Wordsmith Subdivision. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Commissioner Hunthausen made a motion to accept the consideration of the request and moves that the decision be scheduled for February 18, 2025. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Board Appointment - Wolf Creek/Craig Fire Service Area. (Connor Fitzpatrick)

[1:14:00] Connor Fitzpatrick, Elections Supervisor, presented a board appointment application from Jason Crocker to the Wolf Creek/Craig Fire Service Area and recommended the Commissioners consider the applicant to hold office until the next regular election.

No public comment was received.

Commissioner Hunthausen made a motion to appoint Jason Crocker to the vacant position until the next regular election in May 2025. The motion was seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Revised Capital Asset Policy 2.1.5. (Frank Cornwell)

[1:18:19] Frank Cornwell, Chief Financial Officer, presented an update to the Capital Asset Policy to align with the new General Accounting Standards Board (GASB) statements on reports and to increase capital asset thresholds. Staff recommends the approval of the updates.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Department Head Updates.

- [1:25:55] Kari DesRosier, Human Resources Director, gave an update including recruitment, payroll, healthcare claims, wellness, upcoming HR talks training, and calendar year 2024 recruitments and retention statistics.
- [1:35:32] Roger Baltz, Chief Administration Officer, pointed out there is quite a few vacancies at the Detention Center.
- [1:36:38] Frank Cornwell, Chief Financial Officer, gave an update including budgets and legislation.
- [1:42:06] Roger Baltz, Chief Administration Officer, mentioned an ERP update that the Finance Department is working on.
- [1:43:23] Kellie McBride, Criminal Justice Services Director, gave an update including budget, Americorps Vista positions, data initiative, pretrial program data, Criminal Justice Coordinating Council, Citizens Advisory Committee, Behavioral Health success, and Keaton Welch graduating the Law Enforcement Academy on Friday.
- [1:53:30] Greg McNally, Community Development and Planning Director, gave an update including the Board of Adjustment, zoning adjustments, long range planning efforts including growth policy update and subdivision regulations update, seeking grant funding for Northstar Park, fee schedule update, subdivision activity updates, historic preservation, MS4 stormwater management process.
- [2:03:10] Kyle Sturgill-Simon, Disaster and Emergency Services Director, gave an update including fire and rescue assistance out of the County, current grant for radio repeaters, multi-hazard mitigation plan reapproval, upcoming emergency management events, and public participation.
- [2:12:54] Ann McCauley, Grant and Purchasing Director, gave an update including contract reviews, contract and solicitation updates, Amazon Business and Staples Advantage, American Rescue Plan Act obligation report update, Carrie Lutkehus will be resigning at the end of the month, thank you Carrie, closeout on CBDG Economic Development Grant, meeting notice for public hearing for current needs and grants.
- [2:17:35] James Thomas, IT&S Director, gave an update including new staff, internal projects, new network upgrade, wireless upgrade phase II, and cyber security training.
- [[2:23:30] Roger Baltz, Chief Administrative Officer, mentioned a reappointment discussion for the IT&S Board at the City-County Joint Work Session this afternoon.
- [2:24:10] Drenda Niemann, Public Health Officer, gave an update including vaccination statistics, home visitor grant award, Women Infant and Children (WIC) participation numbers, licensed establishment statistics, grant renewals for Public Health programs, Water Quality Protection District update, and 2024 Health Assessment.
- [2:31:46] Jenny Chambers, Public Works Director, gave an update including winter snow removal commitments in the community and county buildings, upcoming solicitations and procurements, and construction projects under way.
- [2:36:22] Roger Baltz, Chief Administrative Officer, gave a Fairgrounds update on the ongoing paving project. He gave a CAO update including budget items and record archive working group ideas for storage needs.

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

Adjourn

There being no further business, the meeting adjourned at 11:47 am.

Meeting minutes approved on _____

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

Tom Rolfe, Vice Chair

Andy Hunthausen, Member

ATTEST:

Amy Reeves, Clerk of the Board



PUBLIC MEETING

February 6, 2025
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, February 6, 2025, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Vice Chair Tom Rolfe called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Payne was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Lisa Kallio, Kevin Downs, Mark Piskolich, Amy Reeves, Audra Zacherl, Ann McCauley, Connie Griffith, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Elected Officials Update

[2:50] Mark Piskolich, Justice of the Peace, gave an update including statistics of cases by year, court clerks update, food for fines on February 14 at the Courthouse, Vann's Thriftway, and Lewis and Clark County Library. He was selected for the Montana Justice Institute.

[14:08] Lisa Kallio, District Court Clerk, gave an update including four promotions and one new hire and new employee training, and gave an overview of what the office is responsible for.

[19:06] Kevin Downs, County Attorney, gave an update including staffing update, overview of what the office is responsible for and kinds of cases that come

through, importance of the Victim Witness Coordinators, and thanks to HR for helping with staffing and the recent market adjustments.

[29:51] Amy Reeves, Treasurer/Clerk and Recorder, gave an update, Election judges and temps coming in for next election; Records Department records preservation project update; Accounting just wrapped up audit and migrating to new software with changes that come along with the new system; Property Tax used four temporary employees to help processing property taxes; Motor Vehicle Department changes including a new software system, new office hours and a check in window to help decrease wait times, staff will get county emails, office closed March 12 - 14.

**Interlocal Agreement Between Lewis and County and Broadwater County.
(Audra Zacherl)**

[50:53] Audra Zacherl, Public Works Assistant Director, presented an interlocal agreement with Broadwater County to bring 4,000 tons of municipal solid waste to the County Landfill annually through June 30, 2028 at the current tipping fee for a total \$96,000 in revenue. Staff recommends approval of the interlocal agreement.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Amendment No. 1 to Subrecipient Agreement Between Lewis and Clark County and Trinity School District No. 4. (Ann McCauley)

[59:48] Ann McCauley, Grants and Purchasing Director, presented an amendment to an agreement with Trinity School District #4 to extend the period of performance to December 31, 2025 and to add American Rescue Plan Act (ARPA) Minimum Allocation Grant funds of \$85,000 for a total agreement amount of \$197,000. Staff recommends approval of the amendment.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

Resolution 2025-12 Opposing Legislation Limiting or Prohibiting Montana Association of Counties Lobbying on Behalf of its Members. (Roger Baltz)

[1:04:52] Roger Baltz, Chief Administrative Officer, presented a resolution opposing legislation limiting or prohibiting Montana Association of Counties lobbying on behalf of its members. Staff recommends approval of the resolution.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 2-0 vote.

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

Adjourn

There being no further business, the meeting adjourned at 10:13 am.

Meeting minutes approved on _____

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

Tom Rolfe, Vice Chair

Andy Hunthausen, Member

ATTEST:

Amy Reeves, Clerk of the Board



PUBLIC MEETING

February 11, 2025
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Tuesday, February 11, 2025, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Chair Candace Payne called the meeting to order at 9 a.m.

Commissioner Andy Hunthausen was present. Commissioner Rolfe was out of the office. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Keegan Shea, Dustin Noel, Ann McCauley, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

There were no consent action items.

Contract Between Lewis and Clark County and Intermountain Heating and Air Conditioning. (Dustin Noel)

[2:12] Dustin Noel, Public Works Shop Manager, presented a contract with Intermountain Heating and Air Conditioning for \$53,101 to install a makeup air unit in the maintenance shop. Work is to be completed by May 31, 2025. Staff recommends approval of the contract.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Payne. The motion Passed on a 2-0 vote.

Grant Termination Agreement Between Lewis and Clark County and Montana Department of Natural Resources and Conservation. (Ann McCauley)

[7:33] Ann McCauley, Grants and Purchasing Director, presented a grant termination agreement with the Montana Department of Natural Resources and Conservation (DNRC) in the amount of \$11,000 effective December 23, 2024. For lack of a qualified contractor to develop a tree plan for Hooper Park in Lincoln, Montana, the decision was made to terminate the grant award. Staff recommends approval of the grant award termination.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Payne.
The motion Passed on a 2-0 vote.

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

Adjourn

There being no further business the meeting adjourned at 9:13 am.

Meeting minutes approved on _____

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

Tom Rolfe, Vice Chair

Andy Hunthausen, Member

ATTEST:

Amy Reeves, Clerk of the Board



PUBLIC MEETING

February 13, 2025
MINUTES

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, February 13, 2025, at 9:00 AM in Commission Chambers, Room 330.

Roll Call

Chair Candace Payne called the meeting to order at 9 a.m.

Commissioners Tom Rolfe and Andy Hunthausen were present. Others attending all or a portion of the meeting included Roger Baltz, Nicho Hash, Keegan Shea, Pam Attardo, Lindsay Morgan, Connie Griffith, Marni Bentley, and Brandi Spangler, Recording Secretary.

Pledge of Allegiance

Everyone recited the pledge.

Consent Action Items

- a. Vendor Claims Report for Week Ending February 14, 2025. (Marni Bentley)
- b. Public Meeting Minutes for January 28, 30, 2024. (Brandi Spangler)

[2:08] Roger Baltz, Chief Administrative Officer, reported on consent action items 2a-b and recommended approval.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Grant Application to the State of Montana Historic Preservation Office. (Pam Attardo)

[3:41] Pam Attardo, Historic Preservation Officer, presented a grant application to the State of Montana Historic Preservation Office in the amount of \$9,100 for the Certified Local Government Grant Award. The grant period is April 1, 2025 through March 31, 2026. Staff

recommends approval of the grant application.

No public comment was received.

A motion to Approve was made by Commissioner Hunthausen and seconded by Commissioner Rolfe. The motion Passed on a 3-0 vote.

Amendment No.1 to Contract Between Lewis and Clark County and SE Group. (Lindsay A. Morgan)

[11:38] Lindsay Morgan, Planner III, presented a contract amendment with the SE Group to add an additional \$16,000 to add service and clarifications to the scope of services regarding stakeholder's meetings for the County Growth Policy Update. Staff recommends approval of the amendment.

No public comment was received.

A motion to Approve was made by Commissioner Rolfe and seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

Board Appointments. (Roger Baltz)

[23:52] Roger Baltz, Chief Administrative Officer, presented a board reappointment to the Helena Valley Mosquito District Board and recommended the Commissioners consider the candidate for a term that will expire December 31, 2028.

No public comment was received.

Commissioner Rolfe made a motion to reappoint Jackie Laverdiere to the Helena Valley Mosquito District Board to a term that will expire December 31, 2028. The motion was seconded by Commissioner Hunthausen. The motion Passed on a 3-0 vote.

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

Adjourn

There being no further business the meeting adjourned at 9:27 am.

Meeting minutes approved on _____

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

Tom Rolfe, Vice Chair

Andy Hunthausen, Member

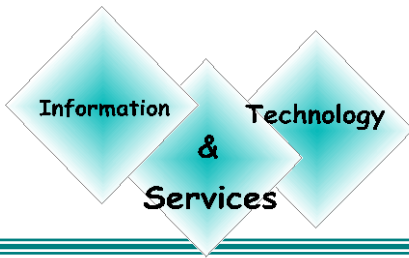
ATTEST:

Amy Reeves, Clerk of the Board



ATTACHMENTS:

| Description | Type |
|------------------------------|------------|
| ▣ Staff Memo | Attachment |
| ▣ Mileage Certification Form | Attachment |



City of Helena
Lewis & Clark County

MEMO

To: Board of County Commissioners
From: Eric F. Spangenberg, GIS Coordinator
Date: 2/21/2025
Re: Yearly Certification of Roadway Mileage

The GIS office has completed the digital comparison of our local road GIS feature to the GIS road feature provided by MT Department of Transportation. Based on that comparison, we have calculated the addition of approximately 1.859 miles. This additional mileage is noted on the Mileage Certification Form provided for your signature.

As in past years, the GIS office has provided digital GIS data to MDT for their use. Digital data includes Helena and East Helena city limit boundaries, and a current road file.

Staff recommends that the Commission authorize the chair to sign the mileage certification form.

Mileage Certification Form

In accordance with the provisions of Section 15-70-101, M.C.A., it is hereby certified that the Road mileage for Lewis And Clark County, exclusive of the National Highway System (including Interstate) and Primary System, is as follows:

| <i>Roads Outside of Cities</i> | <i>Current Mileage</i> | <i>Added Mileage (Approximate)</i> | <i>Deleted Mileage (Approximate)</i> | <i>Adjusted Mileage (Approximate)</i> |
|------------------------------------|------------------------|--|--|---|
| Off-System | 1377.829 | 1.859 | N/A | 1379.688 |
| Secondary/Urban System | 134.776 | N/A | N/A | 134.776 |
| TOTAL | 1512.605 | 1.859 | N/A | 1514.464 |

Any added or deleted mileage amounts shown above may differ from the calculated mileages derived using MDT's process. Additionally, MDT reserves the right to verify any additions or deletions that would significantly affect the fuel tax allocation program. If the number of miles to be added or deleted is significant, the verification process will occur during the **summer of 2025**, and eligible routes will be included in the calculations for the following year.

(Signature)

(Official Title)

_____, Montana
(City)

Date: _____

NOTE: PLEASE RETURN THIS CERTIFICATION FORM ALONG WITH THE SIGNED MAP OR GIS DATA ON OR BEFORE **MARCH 14, 2025** FOR FUEL TAX ALLOCATION. IF THERE ARE NO MILEAGE CHANGES ONLY THE SIGNED CERTIFICATION FORM IS REQUIRED FOR THE RETURN. YOU CAN MAIL, EMAIL, OR FAX THIS TO US.

Address for return:

State of Montana
Department of Transportation
Transportation Planning Division – Geospatial Information Section
PO Box 201001
2701 Prospect Avenue
Helena, MT 59620-1001

Fax: 406-444-7671
Email: bklapstein@mt.gov



Bid Opening, Rimini Water Distribution Services. (Casey Hayes)

Presented By:

Summary:

The Commissioners will consider opening the bids.

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|---|----------|
|  Invitation for Bids - Rimini Water Distribution Services | Contract |

Lewis and Clark County, Montana
Invitation for Bids
Rimini Water Distribution Services

Notice is hereby given that the Board of County Commissioners of Lewis and Clark County, Montana are soliciting competitive bids from interested parties for distribution of potable drinking water to residents of Rimini, Montana.

The complete solicitation is available online at

<https://www.lccountymt.gov/Government/Grants-and-Purchasing/Bids-and-Proposals-Current>.

Questions related to this solicitation must be directed only to the designated point of contact for this solicitation: Casey Hayes, Purchasing Officer, chayes@lccountymt.gov. A cone of silence is established for this solicitation which prohibits any bidder, or entity with financial interest in the bid award, from communicating regarding the solicitation with any Lewis and Clark County elected official, employee, or agent other than the designated point of contact.

A pre-bid conference will be held on February 11, 2025 at 1:30 PM MST located at the City-County Administrative Building, 316 North Park Avenue, Room 309, Helena, MT. Interested bidders are encouraged to attend.

The deadline for bids to be delivered to the Lewis and Clark County Commissioner's Office, located at the City-County Administrative Building, 316 North Park Avenue, Room 345, Helena, MT is on or before 4:00 PM local time on February 24, 2025. The sealed envelope containing the bid must be labeled, "Rimini Water Distribution Services Bid Enclosed." Bids received by this deadline will be unsealed publicly on February 25, 2025 beginning at 9:00 AM local time in Room 330 of the City-County Administrative Building. Late bids are not accepted.

All bids must be accompanied by a bid bond or other form of security as specified in Montana Code Annotated 18-1-203, payable to Lewis and Clark County, in an amount of no less than ten percent (10%) of the total bid. Bids received without the required bid security will be deemed nonresponsive.

Small business enterprises (SBE), minority business enterprises (MBE), women business enterprises (WBE), veteran businesses enterprises (VBE), and disadvantaged business enterprises (DBE) are encouraged to participate in this solicitation.

The County reserves the right to reject any or all bids received, to waive informalities, to postpone the award of the contract for a period not to exceed 60 days, and to accept the bid that is in the best interest of the County. Bidders shall be bound to the terms and conditions listed in the solicitation.

This solicitation is being offered in accordance with federal and state statutes and county regulations governing procurement. Bids become the property of Lewis and Clark County. The County is not responsible for costs associated with preparing a bid.

Published in the Helena Independent Record on Saturday, February 1, 2025 and Saturday, February 8, 2025.

LEWIS AND CLARK COUNTY INVITATION FOR BIDS STANDARD TERMS AND CONDITIONS

By submitting a bid to this Invitation for Bids, the Bidder agrees to acceptance of the following Standard Terms and Conditions and any other provisions that are specific to this solicitation.

1. **Competition.** Lewis and Clark County encourages free and open competition among bidders. Whenever possible, specifications, bid invitations, and conditions are designed to accomplish this objective, consistent with the necessity to satisfy the County's needs and accomplishment of a sound economical operation.

The bidder's signature on this proposal guarantees that the prices quoted have been established without collusion with other eligible bidders and without effort to preclude Lewis and Clark County from obtaining the lowest possible competitive price.

Prior to the Notice of Intent to Award, bids may be held by Lewis and Clark County for a period not to exceed 60 days from the date of the opening of bids for the purpose of reviewing bids and investigating the qualifications of the bidders.

2. **Preparation of Bids.** Bids will be written in ink and/or typewritten on the bid forms furnished herewith. Erasures and alterations must be initialed by the bidder in ink. No verbal bids shall be accepted. The bidder agrees that the bid shall be good and may not be withdrawn during the 60-day review period.
3. **Bid Items.** The bidder warrants articles offered to conform to the specifications herein requested, to be fit and sufficient for the purpose manufactured, of good material and workmanship, and free from defect.
4. **Special Brands.** Brand name items or descriptions used in this proposal are specified solely for the purpose of indicating standards of quality, performance, and/or use desired. Any bid offering goods or sources which deviate from the specifications must be clearly indicated by the bidder. Substitutions must be identified by the manufacturer and stock number and complete descriptive literature must be included with the bid. Goods delivered which do not conform to the contract terms, conditions, or specifications may be rejected and

returned at the vendors' expense. Any bid for foreign produced products shall be so indicated and the source of supply noted for each item.

5. **Packaging.** Unless otherwise stipulated, no charges will be allowed for packing, wrapping, bags, containers, reels, etcetera. All items shall be packed in accordance with prevailing commercial practices and in such a manner as to ensure delivery in good condition and as specified herein.
6. **Delivery/Shipping.** Goods shall be prepaid, Free on Board (FOB) destination. In the event the contract terms specify FOB shipping point, shipping charges will be prepaid and itemized as a separate item on invoicing. Such shipments shall be via the least expensive common carrier unless otherwise stipulated. Lewis and Clark County reserves the right to reject Cash on Delivery (COD).
7. **Warranty.** Bidders agree to provide a warranty for product on offer and perform all warranty and maintenance services in a professional and timely manner and acknowledge that they will be liable for any breach of this warranty.
8. **Cash Discount.** Bidders may quote a cash discount, provided it is based on a period of 60 days or more. A shorter period will not be considered in determination of a low bid. Any cash discount as part of this contract will be computed from the date of receipt of a properly executed claim or the date of completion of delivery of all items in satisfactory condition, whichever is later.
9. **Excise Taxes.** Lewis and Clark County is exempt from federal excise taxes (FET). Exemption certificates will be furnished upon request.
10. **Acceptance/Rejection of Bids.** Lewis and Clark County reserves the right to accept or reject any or all bids, wholly or in part, and to make awards in any manner deemed in the best interest of the County.
11. **All-or-None Proposals.** Bidders may submit alternate proposals on an all-or-none basis but are required to submit a primary quotation on an item-by-item basis to be considered for either type of award.
12. **Bid Determination.** The basis of the award will be dependent on the most responsible bid submitted with consideration given to the following criteria:
 - a. Purchase price;
 - b. Warranty and/or maintenance agreement;
 - c. Delivery date; and
 - d. Analysis and comparison by the county with similar or related equipment.
13. **Tabulation.** In the event that a quotation is entered in which the unit price and extension do not agree, the unit price shall prevail.
14. **Bid Proposal Worksheet.** Bidders are required to complete all Bid Proposal Worksheets and must provide a detailed proposed specification packet with the bid. Any variance to

specifications the bidder wishes to seek consideration for must be clearly stated in the section provided on the Bid Proposal Worksheet.

15. **Nondiscrimination.** In accordance with federal and state laws, the bidder agrees not to discriminate against any client, employee, or applicant for employment or for services because of race, creed, color, national origin, sex, or age with regard to, but not limited to, the following:
- a. Employment upgrading;
 - b. Demotion or transfer;
 - c. Recruitment or recruitment advertising;
 - d. Lay-offs or terminations;
 - i. Rates of pay or other forms of compensation;
 - ii. Selection for training; or
 - iii. Rendition of services.

Bidders and the awardee shall comply with all federal, state, and local laws, rules and regulations. Bidders and the awardee and any of the Bidders' and the awardee's sub-grantees, contractors, subcontractors, successors, transferees, and assignees shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract or agreement.

It is further understood that any vendor who is in violation of this clause shall be barred forthwith from receiving awards of any purchase from Lewis and Clark County unless a satisfactory showing is made that discriminatory practices have ceased, and the recurrence of such acts is unlikely.

16. **OSHA and EPA Requirements.** The equipment shall meet OSHA and EPA requirements and specifications on the date of the bid opening.
17. **Bid Consideration.** No bid will be considered unless accompanied by a bid bond, bank draft, money order, or certified check in the amount of not less than ten (10) percent of the total bid.
18. **Public Inspection of Bids.** Except as otherwise stated in these terms and conditions, all information received in response to this IFB is deemed public information and will be available for public viewing and copying after the Notice of Intent to Award is issued.

19. **Trade Secrets.** In order for a bidder to claim information is protected under Montana's Uniform Trade Secrets Act, a notarized Affidavit for Trade Secret Confidentiality shall be provided by the bidder's attorney acknowledging that material included in a bid is open to public inspection except for information that meets the provisions of Montana's Uniform Trade Secrets Act. Trade secrets contained in the bid must be clearly marked and separate from materials that are open for public inspection. Bidders must be prepared to pay all legal costs and fees associated with defending a claim for confidentiality in the event of a records request from another party.
20. **Claims of Confidentiality and Personal Safety.** In order for a Bidder to claim information is confidential and protected by law or a matter of personal safety, this information must be marked and separated from the materials that are open for public inspection. Clear reference to the laws that protect the information must be provided. No confidentiality material may be contained in the pricing or cost estimates. Contract provisions shall not be covered by claims of confidentiality or personal safety. Bidders will be solely responsible for all legal costs and fees associated with defending a claim for confidentiality and/or personal safety in the event of a records request from another party which the Bidder chooses to oppose. The Bidder will either totally assume all responsibility for the opposition of the request, and all liability and costs of any such defense, thereby defending, protecting, indemnifying, and saving harmless the County or the Bidder will immediately withdraw its opposition to the records request and permit the County to release the documents for examination. The County will inform the Bidder in writing of any open records request that is made, and the Bidder will have three working days from receipt of the notice to notify the County in writing whether the Bidder opposes the request or not. Failure to provide that notice in writing will waive the claim of confidentiality and allow the County to treat the documents as a public record.
21. **Cone of Silence.** A cone of silence shall be established on all Lewis and Clark County formal solicitation processes. The cone of silence prohibits any communication regarding a formal solicitation between any bidder (or its agents or representatives) or other entity with the potential for a financial interest in the award (or their respective agents or representatives) and any Lewis and Clark County elected official, employee, or agent other than the designated point of contact for the solicitation.
- The cone of silence shall be in effect from the time of posting the formal solicitation on the County's website and until the County issues a Notice of Intent to Award, cancels the solicitation, or otherwise takes action to end the selection process.
- Violations of the cone of silence may be grounds for disqualification from the selection process. The cone of silence shall not apply to communications at any public proceeding or meeting.
22. **Advanced Payments.** Except as provided in law, provisions requiring payment by the County, fully or in part, for goods or services before receipt of such shall not be authorized.

23. **Protest Procedure.** A bidder aggrieved in connection with the solicitation or bid award may protest in accordance with the procedure outlined in the Lewis and Clark County procurement policy.
24. **Nondiscrimination Against Firearm Entities/Trade Associations.** Per Montana Code Annotated 30-20-301, a Bidder whose company has at least ten full-time employees and is awarded a contract with a value of at least \$100,000 paid wholly or partly from public funds shall not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, and the awarded Bidder shall not discriminate during the term of the contract against a firearm entity or firearm trade association.

SPECIAL TERMS AND CONDITIONS RELATED TO FUNDING SOURCE

This project is funded through a cooperative agreement with the U.S. Environmental Protection Agency. The following terms and conditions are a result of this funding and will be included in the contract for these services.

1. Bidders shall provide information on its financial and business relations with all potentially responsible parties (PRPs) at the site and with the bidder's parent companies, subsidiaries, affiliates, subcontractors, or current clients at the site. This disclosure requirement encompasses past financial and business relations, including services related to any proposed or pending litigation, with such parties.
2. The selected bidder shall comply with the following federal requirements of the recipient:
 - a. **Accounting Standards:** The recipient's system must track expenses by site, activity, and operable unit, as applicable, according to object class. The system must also provide control, accountability, and an assurance that funds, property, and other assets are used only for their authorized purposes. The recipient must allow an EPA review of the adequacy of the financial management system as described in 2CFR §200.302. The recipient's system must comply with the appropriate allowable cost principles described in 2 CFR Part 200 Subpart E – Cost Principles. The accounting system must use the actual costs as the basis of all reports of direct site charges.
 - b. **Usage Rate:**
 - i. Usage rate approval. To Charge EPA a fee for use of equipment purchased with recipient funds or to allocate the cost of equipment purchased by site, activity, and operable unit, as applicable, the recipient must apply a usage rate. The recipient must submit documentation of the usage rate

computation to EPA. The EPA-approved usage rate must be included in the Cooperative Agreement before the recipient incurs these equipment costs.

- ii. Usage rate application. The recipient must record the usage of the equipment by site, activity, and operable unit, as applicable, and must apply the usage rate to calculate equipment charges by site, activity, and operable unit, as applicable.
- c. Property Management Standards: The recipient must comply with the following property management standards for property purchased with CERCL funds. The recipient may use its own property management system if it meets the following standards.
 - i. Property records for CERCLA-funded property which include the contents specified in Section D.1.b.
 - ii. A control system that ensures adequate safeguards for prevention of loss, damage, or theft of the property. The recipient must make provisions for the thorough investigation and documentation of any loss, damage, or theft.
 - iii. Procedures to ensure maintenance of the property are in good condition and periodic calibration of the instruments used for precision measurements.
 - iv. Sales procedures to ensure the highest possible return, if the recipient is authorized to sell the property.
 - v. Provisions for financial control and accounting in the financial management system of all equipment.
 - vi. Identification of all federally owned property.
- d. Project Records and Retention:
 - i. Records Management.
 - 1. Project records. The lead agency for the response action must compile and maintain an administrative record consistent with CERCLA § 113, the National Contingency Plan, and relevant EPA policy and guidance. In addition, recipients of assistance (whether lead or support agency) are responsible for maintaining project files described as follows. The recipient must maintain project records by site, activity, and operable unit, as applicable.
 - 2. Financial records. The recipient must maintain records which support the following items:
 - a. Amount of funds received and expended; and
 - b. Direct and indirect project cost.
 - 3. Property records. The recipient must maintain records which support the following items:
 - a. Description of the property;
 - b. Manufacturer's serial number, model number, or other identification number;

- c. Source of the property, including the assistance identification number;
- d. Information regarding whether the title is vested in the recipient or EPA;
- e. Unit acquisition date and cost;
- f. Percentage of EPA's interest;
- g. Location, use and condition (by site, activity, and operable unit, as applicable) and the date this information was recorded; and
- h. Ultimate disposition data, including the sales price or the method used to determine the price, or the method used to determine the value of the EPA's interest for which the recipient compensates EPA in accordance with section H7.

Background Information

The Upper Tenmile Creek Mining Area Superfund Site is comprised of 150 abandoned or inactive mining sites within or near the historic Rimini Mining District in the Upper Tenmile Creek Watershed. Most historic mining activity in the watershed took place within the Rimini Mining District and included hard rock mining for gold, lead, zinc, and copper. Mining activity began in the 1870's and continued on through the 1930's. Mining activity became intermittent during and after World War II. The last active commercial mining in the Rimini Mining District ended in 1953. The Upper Tenmile Superfund site also includes the properties of the defunct Basin Creek Mine (BCM), an open pit gold mine that operated under a DEQ permit until the mid-1990's. The BCM is being reclaimed by the bankruptcy trustee for the former operator of the mine using money from a reclamation bond forfeited by the operator to DEQ upon bankruptcy.

In October 1999, the Upper Tenmile Creek Mining Area Site was added to EPA's National Priorities List (NPL) for Superfund Cleanup. EPA conducted residential yard remediation up through 2016 and the main road was remediated in 2011. 67 yards have been remediated to date.

Lewis and Clark County maintains a Cooperative Agreement with the EPA to provide technical assistance at the Upper Tenmile Creek Mining Area. This award allows Lewis and Clark County to implement components of an institutional control program to reduce residents' use of water that is potentially contaminated.

One of the activities identified in the Cooperative Agreement is the County's administration and management of a potable water distribution program. This includes maintenance of a contact list for delivery, ensuring the timely payment of invoices for water delivery services, and

replacement of water dispensers as needed. The purpose of this solicitation is to establish a contract for water delivery services not to exceed a five-year term.

Specifications and Considerations

Bidders should consider the following expectations when developing their bid proposal:

- 1. Access and Equipment:** The selected bidder must ensure reliable access to residential properties year-round, including during winter months. This will require vehicles that are equipped to handle winter conditions, such as snow and ice, to ensure safe and consistent delivery. Trucks used for delivery must be capable of navigating potentially difficult roads and driveways in all weather conditions.
- 2. Delivery Frequency and Quantity:** The selected bidder is expected to deliver drinking water every two weeks on Monday, with each household receiving an average of three 5-gallon water jugs per delivery. The exact quantity may vary based on individual household needs, but the general expectation is to maintain a consistent schedule and quantity. Empty containers are picked-up and exchanged upon delivery for full containers.
- 3. Delivery Schedule and Communication:** Deliveries must occur on a predictable and consistent schedule to approximately 35 residences located on Rimini Road and Landmark Road. The selected bidder is expected to notify residents of any changes to the delivery schedule, including potential delays due to weather or other unforeseen circumstances. Clear and timely communication is essential to ensure residents are aware of any issues that may affect their water delivery. Some residents may choose to pick their water up in Helena due to limited access to their property.
- 4. Water Quality and Safety:** All delivered water must meet appropriate safety and quality standards. The selected bidder will be required to provide documentation or certification that the water delivered is safe for drinking, in accordance with federal and state drinking water standards. Residents may request other types of water, such as distilled, that may be approved on a case-by-case basis.

By meeting these expectations, the selected bidder will help ensure that residents in the Upper Tenmile Superfund area receive reliable access to clean drinking water throughout the year.

BID PROPOSAL WORKSHEET

Return To: Lewis and Clark County
Board of County Commissioners
316 N. Park Avenue, Room 345
Helena, MT 59623

Bids must be submitted no later than February 24, 2025 at 4:00 PM local time.

THE UNDERSIGNED BIDDER has become familiar with the material solicited by Lewis and Clark County through the bid specifications. The Bidder agrees to follow and abide by all laws required in the State of Montana and Lewis and Clark County. The Bidder, having satisfied themselves of the product specifications, does submit the offer as follows:

THE BIDDER HEREBY PROPOSES AND AGREES, if this bid is accepted, to enter into an Agreement, with a negotiated initial term and renewal periods not to exceed seven years, to provide the material and/or services, and assumes all obligations, duties, and responsibilities specified herein for the following price:

| Description: | Unit: | Unit Price: | Deposit: | Annual Delivery Amount: | Extended Price: |
|---|--------------------|-------------|----------|-------------------------|-----------------|
| Potable Drinking Water | 5-gallon container | \$ | \$ | Approx. 2,730 units | \$ |
| Extended Price/Total Bid Amount: (written out in dollars and cents) | | | | | |
| | | | | | |

UNIT PRICE: The total cost of a single unit including all discounts, fees, and costs associated with labor, freight, delivery, collection, etcetera.

DEPOSIT: The cost of the container deposit that is subtracted from unit price upon exchange.

EXTENDED PRICE: The *Unit Price*, minus the *Deposit*, multiplied by the *Annual Delivery Amount*.

Bidders shall provide information on its financial and business relationships with all potentially responsible parties (PRPs) at the site and with the bidder's parent companies, subsidiaries, affiliates, subcontractors, or current clients at the site. This disclosure requirement encompasses past financial and business relations, including services related to any proposed or pending litigation, with such parties.

The PRP identified for this solicitation is the Environmental Protection Agency (EPA). Such information as noted above, if applicable, shall be provided in a separate document to this bid proposal worksheet.

Bidder shall mark one of the following options:

- ☐ Disclosure enclosed
- ☐ Not applicable

THE UNDERSIGNED BIDDER HEREBY CERTIFIES THAT:

1. This offer is genuine and is not made in the interest of, or on the behalf of, any undisclosed person or firm, and is not submitted as a result of any agreement with any association, corporation, or group.
2. The Bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham offer.
3. The Bidder has not solicited or induced any person or firm to refrain from bidding.
4. The Bidder has not sought by collusion to obtain any advantage over any other bidder or over Lewis and Clark County.
5. The Bidder has carefully examined the contract documents pertaining to the work covered by the Bid.
6. In submitting this Bid, Bidder represents that Bidder has examined and carefully studied the Bidding Documents and any data and reference items identified in the Bidding Documents and hereby acknowledges receipt of the following addenda:

Addendum Number:

Addendum Date:

Bidder Name: _____

Contact Person: _____

Address: _____

Phone Number: _____

Email: _____

Federal Tax ID Number: _____

Signature of Authorized Company Official Approving the Bid as Submitted:

Name: _____

Title: _____

Date: _____

Authorized Company Official's Signature

Notarial Acknowledgement:

State of _____

County of _____

This instrument was acknowledged before me on _____
(date)

by _____ as _____
(name of authorized company official) (title)

of _____
(name of company)

Notary Signature: _____

[Seal] ➡

Enclosures:

- ☐ Bid Bond enclosed
- ☐ Disclosure statement enclosed (if applicable)

LEWIS AND CLARK COUNTY PROFESSIONAL SERVICES CONTRACT

This Contract is entered into by and between Lewis and Clark County, Montana, herein referred to as "COUNTY", and Company Name, herein referred to as "CONSULTANT", whose address is Street, City, State, Zip Code, phone number is (XXX) XXX-XXXX, and Federal Employee Identification Number is XX-XXXXXX.

THE PARTIES AGREE AS FOLLOWS:

1. SCOPE OF SERVICES: CONSULTANT agrees to complete and perform the work or services in accordance with the solicitation, plans, and specifications attached and hereby incorporated as **Exhibit X**.
2. INDEPENDENT CONTRACTOR: COUNTY hereby employs CONSULTANT as an independent contractor to complete and perform the scope of services. It is understood by the parties hereto that the CONSULTANT is an independent CONSULTANT and that neither its principals nor its employees, if any, are employees of COUNTY for purposes of tax, retirement system, or social security (FICA) withholding. COUNTY shall not have control over the performance of this Contract by CONSULTANT or its employees, except to specify the time and place of performance. COUNTY shall not be responsible for security or protection of CONSULTANT'S supplies or equipment.
3. WARRANTY: CONSULTANT warrants that all services shall be performed in a professional manner. CONSULTANT acknowledges that it shall be liable for any breach of this warranty for a period of one (1) year from the time services are completed.
4. LIAISON: COUNTY'S designated liaison with CONSULTANT is Officer's Name, Officer's Title or their designee. CONSULTANT'S designated liaison with COUNTY is Name of Individual in Company.
5. EFFECTIVE DATE AND TIME OF PERFORMANCE: CONSULTANT shall commence work [a] by Month Day, Year or [b] upon approval of this Contract by both parties and shall complete the described work by Month Day, Year.
6. COMPENSATION: For the satisfactory completion of the scope services, COUNTY shall pay CONSULTANT time and materials for a total sum not to exceed Amount of Dollars/Cents (\$X,XXX.XX). CONSULTANT shall submit [a] monthly [b] quarterly or [c] final invoices to COUNTY based on **Exhibit X**, Schedule of Billing Rates. The COUNTY shall pay invoices within 30 days of invoice date.
7. CONFLICT OF INTEREST: CONSULTANT covenants that it presently has no interest and shall

not acquire any interest, direct or indirect, in the project, which would conflict in any manner or degree with the performance of its services hereunder. CONSULTANT further covenants that in performing this Contract it shall employ no person who has any such interest.

8. MODIFICATION AND ASSIGNABILITY OF CONTRACT: This Contract contains the entire agreement between the parties, and no statements, promises, or inducements made by either party, or agents of either party, which are not contained in the written Contract, are valid or binding. This Contract may not be enlarged, modified or altered except upon written agreement signed by both parties hereto. CONSULTANT may not subcontract or assign its rights, including the right to compensation, or duties arising hereunder without the prior written consent of COUNTY. Any subcontractor or assignee shall be bound by all of the terms and conditions of this Contract.
9. OWNERSHIP AND PUBLICATION OF MATERIALS: All reports, information, data, and other materials prepared by CONSULTANT pursuant to this Contract are the property of COUNTY which has the exclusive and unrestricted authority to release, publish or otherwise use, in whole or part, information relating thereto. Any reuse without written verification or adaptation by CONSULTANT for the specific purpose intended shall be at COUNTY's sole risk and without liability or legal exposure to CONSULTANT. No material produced in whole or in part under this Contract may be copyrighted or patented in the United States or in any other country without the prior written approval of COUNTY.
10. INDEMNIFICATION: CONSULTANT waives all claims and recourse against COUNTY, including the right of contribution for loss and damage to persons or property arising from, growing out of, or in any way connected with or incidental to CONSULTANT's performance of this Contract except for liability arising out of concurrent or sole negligence of COUNTY or its officers, agents or employees. Further, CONSULTANT shall indemnify, hold harmless, and defend COUNTY against all claims, demands, damages, costs, expenses or liability arising out of CONSULTANT's negligent performance of this Contract except for liability arising out of the concurrent or sole negligence of COUNTY or its officers, agents or employees.
11. INSURANCE: CONSULTANT shall maintain general liability insurance from an insurance carrier licensed to do business in the State of Montana in the amount of one million dollars (\$1,000,000.00) for each occurrence (minimum) and two million dollars (\$2,000,000.00) aggregate. CONSULTANT also agrees to maintain workers compensation insurance from an insurance carrier licensed to do business in the State of Montana. Proof of general liability and workers compensation insurance shall be provided to COUNTY prior to commencing work under this Contract. COUNTY must be listed as an additional insured on the general liability insurance certificate for this Contract.
12. COMPLIANCE WITH LAWS: CONSULTANT shall comply with applicable federal, state, and local laws, rules and regulations. CONSULTANT or subcontractors doing work on this project shall be required to obtain registration with the Montana Secretary of State's Office and the

Montana Department of Labor and Industry. CONSULTANT is responsible for obtaining any and all permits required to perform the Contract.

13. NONDISCRIMINATION: CONSULTANT shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, national origin, or sexual orientation.
14. PLACE OF PERFORMANCE, CONSTRUCTION, AND VENUE: Performance of this Contract is in Lewis and Clark County, Montana and venue for any litigation arising from performance of this Contract is the 1st Judicial District in and for the County of Lewis and Clark, State of Montana. This Contract shall be construed under and governed by the laws of the State of Montana.
15. ATTORNEY FEES: Should either party be required to resort to litigation, arbitration, or mediation to enforce the terms of this Contract, the prevailing party, whether plaintiff or defendant, shall be entitled to costs, including reasonable attorney's fees and expert witness fees. If the court, arbitrator, or mediator awards relief to both parties, each party shall bear its own costs in their entirety.
16. FAILURE TO PERFORM: Upon any material default or substantial failure to perform this Contract by either party, the other party shall be entitled to the following remedy:
 - a. Stop performing or accepting performance of the work until the matter is resolved;
 - b. Within a reasonable time of discovery of the defect or failure to perform, provide the other party with a written description of the defect or failure, and:
 - i. If the defect or failure to perform can be cured, demand specific remedial action within a reasonable time certain; or
 - ii. If the defect or failure to perform cannot be cured, specify any alternative performance which would be acceptable in lieu of the required performance and a time within which the alternative performance shall be required; or
 - iii. If the defect or failure to perform cannot be cured and no reasonable alternative performance is acceptable, notify the other party of the termination of the Contract as of a date certain and state therein whether an action for breach of the Contract will be brought.
 - iv. Where appropriate, obtain completion of the performance of the remaining balance of the Contract within the original party.
 - c. If the defect or failure to perform is not corrected or alternative performance completed within the time certain specified, the party alleging breach may initiate an action in the 1st Judicial District in and for the County of Lewis and Clark, State of Montana. If an action is brought, the prevailing party shall be entitled to attorney's fees as well as other costs of suit.

17. TERMINATION: Either party may terminate this Contract upon thirty (30) days written notice to the other party. If this Contract is terminated prior to completion, COUNTY shall pay CONSULTANT for completed and accepted work within thirty (30) days of termination. CONSULTANT shall not be entitled to payment for incomplete or unacceptable work.



Bid Opening. Highway 435 Crack, Chip, Paint. (Audra Zacherl)

Presented By:

Summary:

The Commissioners will consider opening the bids.

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|---|------------|
|  Legal Ad Invite to Bid | Attachment |

INVITATION TO BID

Notice is hereby given that the Board of County Commissioners of Lewis and Clark County, Montana are soliciting competitive bids from interested parties for the construction of the Highway 435 Crack Seal, Chip Seal, & Paint Project. The project generally consists of crack sealing, chip sealing, and paint striping 10.1 miles of Highway 435 near Augusta, Montana. The work also includes paint striping Sun Canyon Road from Highway 287 to the Lewis and Clark County Transfer Station and Benchmark Road from Highway 435 to Broadway Street, in Lewis and Clark County.

All Bids must be in accordance with the contract documents. The complete solicitation is available online at <https://www.lccountymt.gov/Government/Grants-and-Purchasing/Bids-and-Proposals-Current>. Questions related to this solicitation must be directed only to the designated point of contact for this solicitation: Jade Wills, Administrative Assistant II, jwills@lccountymt.gov, in accordance with Article 2.01 of Instructions to Bidders. A cone of silence is established for this solicitation which prohibits any bidder, or entity with financial interest in the bid award, from communicating regarding the solicitation with any Lewis and Clark County elected official, employee, or agent other than the designated point of contact. Contractors are encouraged to check for any addenda issued prior to submitting a bid.

There will be a pre-bid conference on Wednesday, February 12, 2025, at 3:30 p.m. in the Public Works Noxious Weed District Conference Room, located at 3402 Cooney Drive, Helena, MT. Interested bidders are encouraged to attend.

The deadline for bids to be delivered to the Lewis and Clark County Commissioner's Office, located at the City-County Administrative Building, 316 North Park Avenue, Room 345, Helena, MT is **on or before 4:00 PM local time on February 24, 2025**. The sealed envelope containing the bid must be labeled, "Highway 435 Crack, Chip, Paint, Bid Enclosed." Bids received by this deadline will be unsealed publicly on February 25, 2025, beginning at 9:00 AM local time in Room 330 of the City-County Administrative Building. Late bids are not accepted.

All bids must be accompanied by a bid bond or other form of security as specified in Montana Code Annotated 18-1-203, payable to Lewis & Clark County, in an amount not less than ten percent (10%) of the total amount of the bid. Successful Bidders shall furnish an approved Performance Bond and a Labor and Materials Payment Bond, each in the amount of one hundred percent (100%) of the contract amount. Insurance, as required, shall be provided by the successful Bidder(s) and a certificate(s) of that insurance shall be provided.

Contractor and any of the Contractor's Subcontractors bidding or doing work on this project will be required to be registered with the Montana Department of Labor and Industry (DLI). Forms for registration are available from the Department of Labor and Industry, PO Box 8011, 1805 Prospect, Helena MT 59604-8011. Information on registration can be obtained by calling (406) 444-7734. All laborers and mechanics employed by Contractor or Subcontractors in performance of the construction work shall be paid wages at rates as required by Montana Prevailing Wage Rates for Highway Construction Services 2024. The Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

Bids may only be withdrawn as provided in Section 16.02 of the Instructions to Bidders after the scheduled time for the public opening of bids. The right is reserved to reject any or all proposals received, to waive informalities, to postpone the award of the contract for a period not to exceed sixty (60) days, and to accept the lowest responsive and responsible bid that is in the best interest of the

Owner.

Lewis & Clark County is an Equal Opportunity Employer.

Publication Dates:

- Saturday, February 1, 2025
- Saturday, February 8, 2025



Bid Opening. Murray MAU Replacement. (Audra Zacherl)

Presented By:

Summary:

The Commissioners will consider opening the bids.

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|---|------------|
|  Legal Ad Invite to Bid | Attachment |

Lewis and Clark County, Montana
Invitation for Bids
Murray MAU Replacement

Notice is hereby given that the Board of County Commissioners of Lewis and Clark County, Montana is soliciting competitive bids from interested parties to replace the makeup air unit for a county-owned building that is operated as a health and medical facility. The project will be partially funded with ARPA/CARES funding.

The complete solicitation is available online at <https://www.lccountymt.gov/Government/Grants-and-Purchasing/Bids-and-Proposals-Current>. Questions related to this solicitation must be directed only to the designated point of contact for this solicitation: Jade Wills, Administrative Assistant II, jwills@lccountymt.gov. A cone of silence is established for this solicitation which prohibits any bidder, or entity with financial interest in the bid award, from communicating regarding the solicitation with any Lewis and Clark County elected official, employee, or agent other than the designated point of contact.

A pre-bid conference and tour will be held on Thursday, February 13, 2025 at 3:30 p.m. at the Michael A. Murray Building north entrance, 1930 9th Avenue, Helena, MT. Interested bidders are encouraged to attend.

The deadline for bids to be delivered to the Lewis and Clark County Commissioner's Office, located at the City-County Administrative Building, 316 North Park Avenue, Room 345, Helena, MT is on or before 4:00 PM local time on Monday, February 24, 2025. The sealed envelope containing the bid must be labeled, "Murray MAU Replacement Bid Enclosed." Bids received by this deadline will be unsealed publicly on Tuesday, February 25, 2024 beginning at 9:00 AM local time in Room 330 of the City-County Administrative Building. Late bids are not accepted.

All bids must be accompanied by a bid bond or other form of security as specified in Montana Code Annotated 18-1-203, payable to Lewis and Clark County, in an amount of no less than ten percent (10%) of the total bid. Bids received without the required bid security will be deemed nonresponsive.

The successful bidder shall furnish an approved performance bond and labor and materials payment bond each in the amount of one hundred percent (100%) of the contract amount.

Bids will be considered based on the most responsive and responsible bid submitted along with the following criteria: purchase price, product availability, delivery date, specifications, etc.

Insurances, permits, and licenses shall be obtained by the successful bidder and certificates of such shall be provided to Lewis and Clark County.

The contractor and any of the subcontractors bidding or doing work on this project will be required to be registered with the Montana Department of Labor and Industry. Forms and registration information are available from this agency. All workers employed by the contractor or subcontractors in performance of this contract shall be paid wages as required by the current Montana Prevailing Wage Rates. The contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

This Project is funded in whole or in part with a grant from the American Rescue Plan Act (ARPA). Award of the Project will be contingent upon the Contractor providing or establishing a Unique Entity

Identification (UEI) and passing a suspension and debarment verification per the requirements of the Funding Agency Special Provisions in this bid package.

The County reserves the right to reject any or all bids received, to waive informalities, to postpone the award of the contract for a period not to exceed 60 days, and to accept the bid that is in the best interest of the County. Bidders shall be bound to the terms and conditions listed in the solicitation.

This solicitation is being offered in accordance with federal and state statutes and county regulations governing procurement. Bids become the property of Lewis and Clark County. The County is not responsible for costs associated with preparing a bid.

Published in the Helena Independent Record on Saturday, February 1, 2025, and Saturday, February 8, 2025.



Resolution 2025-14 Organizing the Helena Valley Mosquito District Board. (Christian Lehnert)

Presented By:

Summary:

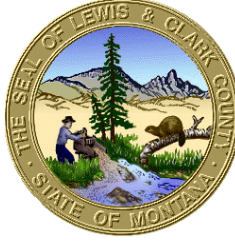
The Commissioners will consider the resolution.

Legal Review Required:

ATTACHMENTS:

| Description | | Type |
|--------------------------|--------------------|--------------|
| <input type="checkbox"/> | Memo | Staff Report |
| <input type="checkbox"/> | Resolution 2025-14 | Resolution |

Christian Lehnert
Noxious Weed & Mosquito Supervisor
clehnert@lccountymt.gov



Ph: (406) 447-8072
3402 Cooney Drive
Helena, MT 59602

Lewis and Clark County Noxious Weed & Mosquito Division

DATE February 27, 2025
TO: Board of County Commissioners
FROM: Christian Lehnert, Noxious Weed & Mosquito Division Supervisor
SUBJECT: Resolution 2025-014 Organizing the Helena Valley Mosquito District Board

Before you this morning for your consideration, is Resolution 2025-014 to organize the Helena Valley Mosquito District Board.

The Helena Valley Mosquito District (District) was established by the Lewis and Clark Board of County Commissioners through adoption of Resolution No. 1976-17, and later through Resolution No. 1976-21, to annex additional lands into the District.

Resolution No. 2011-191 was adopted by the Lewis and Clark County Board of County Commissioners setting a Standard Policy on Board and Committee Appointments, and MCA 7-1-201, requires the Board of County Commissioners to adopt resolutions that contain specific information to organize certain boards.

Given the history of the District, adoption of Resolution 2025-014 serves to update and organize all prior and current resolution revision for the District. This resolution will also serve as a guideline for the District bylaws

This resolution was presented, reviewed, and approved unanimously at the February 6, 2025, joint mosquito board meeting by the Lewis and Clark County Helena Valley Mosquito District Board.

Staff recommend approval of Resolution 2025-014 to Organize the Helena Valley Mosquito District Board.

RESOLUTION 2025 – 14

A RESOLUTION ORGANIZING THE HELENA VALLEY MOSQUITO DISTRICT BOARD

WHEREAS, the Lewis and Clark Board of County Commissioners adopted Resolution No. 1976-17 and established the Helena Valley Mosquito Control District (the District); and

WHEREAS, the Lewis and Clark Board of County Commissioners adopted Resolution No. 1987-21 and annexed additional lands into the District; and

WHEREAS, pursuant to Mont. Code Ann. § 7-11-1004, a special district in existence on July 1, 2009, continues in existence and remains subject to the provisions of the statutes under which it was created or established, as those statutes existed on June 30, 2009.

WHEREAS, the Lewis and Clark Board of County Commissioners adopted Resolution No. 2011-191 and a Standard Policy on Board and Committee Appointments; and

WHEREAS, Mont. Code Ann. § 7-1-201 requires the Board of County Commissioners to adopt resolutions that contain specific information to organize certain boards.

NOW, THEREFORE BE IT RESOLVED:

1. The Lewis and Clark Board of County Commissioners hereby organizes the Helena Valley Mosquito Control District Board (the Board), subject to the contents of this resolution.
2. The Board shall have five (5) voting members, appointed by and serving at the pleasure of the Board of County Commissioners.
3. The Board shall, with the approval of the Board of County Commissioners, establish bylaws to govern the operation of the District.
4. To qualify for appointment to the Board, a candidate must be at least 18 years old, a citizen of the United States, and reside within the District.
5. The terms of the members shall be conducted in accordance with Resolution 2011-191.
6. Voting members shall be entitled to mileage.,

7. The Board of County Commissioners may appoint one Commissioner and one County employee to serve as ex officio members of the Board.
8. The Board is responsible administering the District pursuant to all applicable Federal, state, and local laws, regulations, and policies, including but not limited to all County policies involving contracts, purchasing, procurement, employment, and notice.
9. The Board shall have the powers and duties as established in Mont. Code Ann. § 7-22-2415
10. The Board may not sue or be sued independently of the County. Any contracts necessary to implement the mosquito control program shall be approved and signed by the Board of County Commissioners.
11. Three (3) present Board members constitutes a quorum for the purposes of conducting business and exercising powers and responsibilities.
12. The Board shall provide for the keeping of written minutes, including the final vote on all actions and the vote of each member. This information must be kept and shared with the County for proper records management.
13. The Board shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the Board of County Commissioners.
14. The Board of County Commissioners shall establish a mosquito control fund. The proceeds from the tax and fees must be placed in a separate fund with the County Treasurer and must be used solely for the purpose for which the District was created. Warrants upon such fund shall be drawn by the Board of County Commissioners upon the presentation of claims approved by the Board. The Board shall utilize County Public Works Department on budget planning and requests.
15. Subject to Mont. Code Ann. § 15-10-420, the Board of County Commissioners shall finance the operation of the district by levying a tax on the taxable value of all taxable property situated within the district at the time fixed by law for levy and assessment of taxes.
16. Instead of or in addition to imposing a tax levy, the Board of County Commissioners may, upon an affirmative vote of a majority of the qualified voters residing in the mosquito control district, collect an annual fee from the owners of structures that are benefited by the mosquito control services offered by the district. These annual fees must

be collected with the general taxes of the County. The assessments are a lien on the property assessed.

17. On or before February 1 of each year, the Board shall submit to the Montana Department of Public Health and Human Services and Department of Agriculture, for their review and advice, a written report of its operations for the preceding year and a written plan covering its control program for the ensuing year. This report must be kept and shared with the County for proper records management.

DATED this _____ day of February, 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

ATTEST:

Amy Reeves, Clerk of the Board



Approval of Helena Valley Mosquito District Bylaw Update. (Christian Lehnert)

Presented By:

Summary:

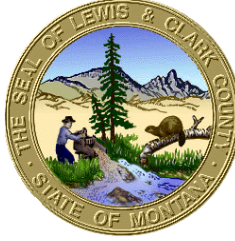
The Commissioners will consider approving the proposed updated bylaws.

Legal Review Required:

ATTACHMENTS:

| Description | | Type |
|--------------------------|--------|--------------|
| <input type="checkbox"/> | Memo | Staff Report |
| <input type="checkbox"/> | Bylaws | Contract |

Christian Lehnert
Noxious Weed & Mosquito Supervisor
clehnert@lccountymt.gov



Ph: (406) 447-8072
3402 Cooney Drive
Helena, MT 59602

Lewis and Clark County Noxious Weed & Mosquito Division

DATE February 27, 2025
TO: Board of County Commissioners
FROM: Christian Lehnert, Noxious Weed & Mosquito Division Supervisor
SUBJECT: Updated Bylaws for the Board of Directors of the Helena Valley Mosquito District

Before you this morning are the most recent Lewis and Clark County Helena Valley Mosquito District Board Bylaws.

The Helena Valley Mosquito District (District) was originally formed in 1976, and the prior bylaws were most recently adopted on June 6, 2013. Bylaws are used to establish the board's internal management by setting out the rules and responsibilities for shareholders, directors, and officers. The bylaws follow the District's organizational resolution and set the rules for meetings, specify voting procedures, and establish officer positions and responsibilities.

These bylaws support Resolution 2025-014, organizing the Helena Valley Mosquito District Board and have been reviewed and were approved by the Lewis and Clark County Helena Valley Mosquito District Board at the February 6, 2025, joint board meeting.

Staff recommend approval of the updated Helena Valley Mosquito District Bylaws as presented.



Lewis and Clark County

BYLAWS FOR THE BOARD OF DIRECTORS OF THE HELENA VALLEY MOSQUITO DISTRICT

1. Name and Location:

The Helena Valley Mosquito District was originally formed and boundaries designated through Resolutions 1976 – 14 and 1976-17 by the Lewis and Clark County Commission. Resolution 1987-21 annexed the Birdseye area and amended the boundaries of the district.

The district's area includes East Helena, Lake Helena, the County fairgrounds, and the area north of Custer Avenue, south of the Lincoln Highway, and west of Lake Helena Drive, Green Meadow Drive and Birdseye.

The headquarters of the Helena Valley Mosquito District shall be at the Lewis and Clark County Weed District Office.

2. Authorization:

The authorization to create this district is set forth under Title 7, Chapter 22, Part 24 Mosquito Control Districts.

3. Purpose:

The purpose of the Helena Valley Mosquito District Board is to implement the mosquito control program in Lewis and Clark County. District Funding:

A mosquito fund, established by the Commission, finances the operations of the District. The fund is financed by the levying of a tax on all taxable property within the District.

4. General Powers and Duties:

The Board has the powers and exercises the duties and functions convened upon it by the Lewis and Clark County Commission pursuant to Resolution 2025-014. The district's responsibility is to provide for the establishment, management, operation, and administration of a mosquito abatement program

and to monitor mosquito activities within its area to benefit those who pay for the service.

- Provide for the recommendation for the development and administration of a program for abatement and alleviation of mosquito conditions within district.
- The district also assists with mosquito related concerns and complaints on a case-by-case basis.
- Employ suitable and competent employees or contracted services may be necessary and provide for compensation, as approved by the Board of County Commissioners.
- Cooperate with any corporation, association, individual, or group of individuals, agencies – local, county, state, or federal – in the mosquito abatement program; and

5. The Board shall be appointed by the Lewis and Clark County Commission in accordance with Resolution 2011-191.

- Members: The Board shall be made up of five (5) residents within the district that pay property taxes. In accordance with Resolution 2025 - 014 shall have five (5) voting members appointed by and serving at the pleasure of the Board of County Commissioners.
- Ex-officio members (non-voting):
 - One Lewis and Clark County Commissioner who represents the Commission.
 - Mosquito District Coordinator. To assist with
 - Schedule meetings with location, date and time.
 - Assists with the development of agenda with Chairman;
 - Keeps records, including board meeting minutes and other mosquito related documentations as shared and provided. Following records retention and other county standard practices and procedures.

6. Terms of Board Members.:

Members of the Board shall serve at the pleasure of the Board of County Commissioners, in accordance with Resolution 2011-191 once they have completed two (2) terms of three (3) years or have served for a total of six (6) years.

7. Fiscal Year:

- The fiscal year of the District shall begin on the first day of July of each year and end the last day of the following June.
- The District will operate under the Lewis and Clark County Financial system and will be audited manually as provided by law.
- At least one meeting will be held prior to April to review:
 - Revenues and expenses;
 - Review operations;
 - Elections of Officers (Chairperson and Vice Chairperson)
- The board shall submit preliminary rate recommendations and budget to the Board of County Commissioners as provided by law, by April 15th of each year.
- On or before February 1 of each year, the Board shall submit to the Montana Department of Public Health and Human Services and Montana Department of Agriculture, for their review and advice, a written report of its operations for the preceding year and a written plan covering its control program for the ensuing year. This report must be kept and shared with the County for proper records management

8. Meetings:

- a. All meetings (regular, special, and subcommittee) and work sessions shall be open to the public unless privacy concerns outweigh the public's right to know and participate. Any meeting closed for such purpose shall be conducted in accordance with applicable statutes.
- b. Quorum. The presence at any scheduled meeting of a majority of the Board members shall constitute the necessary quorum for the transaction of business. A quorum is required for regular and special meetings but not for work sessions or subcommittee meetings.
- c. The annual meeting of the District shall be held in March/April. At this meeting, the Board shall: 1) present the annual report, include programs and activities of the District for the previous year, and the financial report; 2) adopt the coming year's preliminary budget for the District; and 3) invite suggestions and recommendations for improving the District's overall operations for the coming year from those in the District who receive service.
- d. Special meeting of the Board may be called at any time by the Chair of the Board, the Vice Chair (acting in the absence of the Chairperson), the Coordinator, or by a majority of members. A minimum of three (3) days notice of the date, time, and place and agenda of special meeting must be given to each member (including Ex-officio members) and the public.

- e. Written or printed notice of each meeting of the Board, whether annual or special, stating the place, date, hour, and purpose for which the meeting is called shall be given to each of the Board members. Public notice will be provided in accordance with State law and county policy.
- f. Any citizen may comment or provide testimony on any item on the agenda and any item not appearing on the agenda but within the jurisdiction of the Board.
- g. Minutes of all Board meetings shall be kept on file by the Mosquito District Coordinator at the Lewis and Clark County Weed District Office. Minutes shall comply with **MCA 2-3-212**. Board shall submit the minutes of its proceedings within 30 days after the accordance with the provisions of Title 2, chapter 6, part 12 (**MCA 7-1-204**). Appropriate minutes of all meetings required by **MCA 2-3-203** must be kept and as the official record of the meeting. A written record of the meeting must also be made and must include the information specified in subsection (1).
 - 1 Minutes must include without limitation: the date, time, and place of the meeting.
 - a A list of the individual members of the public body, agency, or organization who were in attendance and absent, staff members and, if possible, name of public attendees.
 - b The substance of all matters proposed, discussed, or decided and all addendums, information presented, reports, shall be attached to the minutes of the meeting; and
 - c At the request of any member, a record of votes by individual members for any votes taken.
 - 2 A log or time stamp for each main agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.
 - 3 Any time a presiding officer closes a public meeting pursuant to MCA 2-3-203, the presiding officer shall ensure that minutes taken in compliance with subsection (1) are kept of the closed portion of the meeting. The minutes from the closed portion of the meeting may not be made available for inspection except pursuant to a court order.

9. Officers and Their Duties:

- a. The Board at the first annual meeting shall elect from its membership the chair and vice-chair of the Board.
- b. The Board shall secure the services of a secretary who may be a member of the Board, or county employee. The secretary shall record

the minutes, maintain records, and send out meeting notices, among other duties.

- c. Additionally, the Board may with approval from the Board of County Commissioners employ other persons as is deemed necessary to discharge the obligations of the District. The Board will determine qualification and duties.
- d. The Board is responsible administering the District pursuant to all applicable Federal, state and local laws, regulations, and policies, including but not limited to all County policies involving contracts, purchasing, procurement, employment, and notice.
- e. The Board shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted.
- f. The secretary shall prepare an agenda for Board and other meetings. Agendas shall be provided to each member of the Board no later than three days prior to the meeting date. Hard copies shall be made available to the public at the time of the open meeting.
- g. Voting members shall be entitled to mileage reimbursement, pursuant to Resolution No. 2011-191.
- h. The Board of Directors shall review the bylaws of the Helena Valley Mosquito District at least every 3 years or whenever deemed necessary by a vote of a quorum of the Board Members. Any amendments may be made to these bylaws at a meeting called for that purpose.

10. Adoption and Amendment

These bylaws were last adopted on June 6, 2013, and amended on ____ day of _____ 2025 upon approval by a majority of the members of the Helena Valley Mosquito District Board.

Dated this _____ day of _____ 2025.

Helena Valley Mosquito District Board of Directors

Chairperson

Vice-Chairperson

Dated this _____ day of _____ 2025.

Lewis and Clark County Board of Commissioners

Candace Payne, Chair

ATTEST:

Amy Reeves, Clerk of the Board



Resolution 2025-15 Organizing the Craig-Wolf Creek Mosquito District Board. (Christian Lehnert)

Presented By:

Summary:

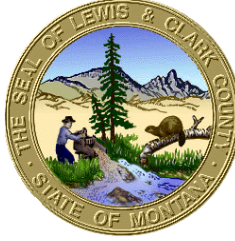
The Commissioners will consider the resolution.

Legal Review Required:

ATTACHMENTS:

| Description | | Type |
|--------------------------|--------------------|--------------|
| <input type="checkbox"/> | Memo | Staff Report |
| <input type="checkbox"/> | Resolution 2025-15 | Resolution |
| <input type="checkbox"/> | Resolution 1983-46 | Resolution |

Christian Lehnert
Noxious Weed & Mosquito Supervisor
clehnert@lccountymt.gov



Ph: (406) 447-8072
3402 Cooney Drive
Helena, MT 59602

Lewis and Clark County Noxious Weed & Mosquito Division

DATE February 27, 2025
TO: Board of County Commissioners
FROM: Christian Lehnert, Noxious Weed & Mosquito Division Supervisor
SUBJECT: Resolution 2025-015 Organizing the Craig-Wolf Creek Mosquito District Board

Before you this morning for your consideration, is Resolution 2025-015 to organize the Craig-Wolf Creek Mosquito District Board.

The Craig-Wolf Creek Mosquito District (District) was established by the Lewis and Clark Board of County Commissioners through adoption of Resolution No. 1983-46.

Resolution No. 2011-191 was adopted by the Lewis and Clark County Board of County Commissioners setting a Standard Policy on Board and Committee Appointments, and MCA 7-1-201, requires the Board of County Commissioners to adopt resolutions that contain specific information to organize certain boards.

Given the history of the District, adoption of Resolution 2025-015 serves to update and organize all prior and current resolution revisions for the District. This resolution also serves as a guideline for the District bylaws.

This resolution was presented, reviewed, and approved unanimously at the February 6, 2025, joint mosquito board meeting by the Lewis and Clark County Craig-Wolf Creek Mosquito District Board.

Staff recommend approval of Resolution 2025-015 to Organize the Craig-Wolf Creek Mosquito District Board.

RESOLUTION 2025 – 15

A RESOLUTION ORGANIZING THE CRAIG-WOLF CREEK MOSQUITO DISTRICT BOARD

WHEREAS, the Lewis and Clark Board of County Commissioners adopted Resolution No. 1983-46 and established the Craig-Wolf Creek Mosquito Control District (the District); and

WHEREAS, pursuant to Mont. Code Ann. § 7-11-1004, a special district in existence on July 1, 2009, continues in existence and remains subject to the provisions of the statutes under which it was created or established, as those statutes existed on June 30, 2009.

WHEREAS, the Lewis and Clark Board of County Commissioners adopted Resolution No. 2011-191 and a Standard Policy on Board and Committee Appointments; and

WHEREAS, Mont. Code Ann. § 7-1-201 requires the Board of County Commissioners to adopt resolutions that contain specific information to organize certain boards.

NOW, THEREFORE BE IT RESOLVED:

1. The Lewis and Clark Board of County Commissioners hereby organizes the Craig-Wolf Creek Mosquito Control District Board (the Board), subject to the contents of this resolution.
2. The Board shall have three (3) voting members, appointed by and serving at the pleasure of the Board of County Commissioners.
3. The Board shall, with the approval of the Board of County Commissioners, establish bylaws to govern the operation of the District.
4. To qualify for appointment to the Board, a candidate must be at least 18 years old, a citizen of the United States, and reside within the District.
5. The terms of the members shall be conducted in accordance with Resolution 2011-191.
6. Voting members shall be entitled to mileage.,
7. The Board of County Commissioners may appoint one Commissioner and one County employee to serve as ex officio members of the Board.

8. The Board is responsible administering the District pursuant to all applicable Federal, state, and local laws, regulations, and policies, including but not limited to all County policies involving contracts, purchasing, procurement, employment, and notice.
9. The Board shall have the powers and duties as established in Mont. Code Ann. § 7-22-2415
10. The Board may not sue or be sued independently of the County. Any contracts necessary to implement the mosquito control program shall be approved and signed by the Board of County Commissioners.
11. Two (2) present Board members constitutes a quorum for the purposes of conducting business and exercising powers and responsibilities.
12. The Board shall provide for the keeping of written minutes, including the final vote on all actions and the vote of each member. This information must be kept and shared with the County for proper records management.
13. The Board shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the Board of County Commissioners.
14. The Board of County Commissioners shall establish a mosquito control fund. The proceeds from the tax and fees must be placed in a separate fund with the County Treasurer and must be used solely for the purpose for which the District was created. Warrants upon such fund shall be drawn by the Board of County Commissioners upon the presentation of claims approved by the Board. The Board shall utilize County Public Works Department on budget planning and requests.
15. Subject to Mont. Code Ann. § 15-10-420, the Board of County Commissioners shall finance the operation of the district by levying a tax on the taxable value of all taxable property situated within the district at the time fixed by law for levy and assessment of taxes.
16. Instead of or in addition to imposing a tax levy, the Board of County Commissioners may, upon an affirmative vote of a majority of the qualified voters residing in the mosquito control district, collect an annual fee from the owners of structures that are benefited by the mosquito control services offered by the district. These annual fees must be collected with the general taxes of the County. The assessments are a lien on the property assessed.

17. On or before February 1 of each year, the Board shall submit to the Montana Department of Public Health and Human Services and Department of Agriculture, for their review and advice, a written report of its operations for the preceding year and a written plan covering its control program for the ensuing year. This report must be kept and shared with the County for proper records management.

DATED this ____ day of February, 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Candace Payne, Chair

ATTEST:

Amy Reeves, Clerk of the Board

RESOLUTION 1983- 46

RESOLUTION OF THE COUNTY COMMISSION OF LEWIS AND CLARK COUNTY, MONTANA, CREATING A MOSQUITO CONTROL DISTRICT TO BE KNOWN AS THE CRAIG-WOLF CREEK MOSQUITO CONTROL DISTRICT, MOSQUITO CONTROL DISTRICT NO. 2, AND ESTABLISHED FOR THE PURPOSE OF CONTROLLING MOSQUITOS WITHIN A PORTION OF LEWIS AND CLARK COUNTY, AS DESCRIBED HEREIN AND ON FILE IN THE LEWIS AND CLARK COUNTY CLERK AND RECORDER'S OFFICE

WHEREAS, a petition signed by not less than 25% of the qualified electors or 25% of the owners of the property within the District was duly presented to the Lewis and Clark County Board of County Commissioners requesting the creation of a Mosquito Control District within the Craig-Wolf Creek area within Lewis and Clark County; and

WHEREAS, the Board of County Commissioners fixed the time of June 21, 1983, at 9 AM in the City-County Building 316 North Park, Helena, Montana, as the time for hearing on the Petition to create the District; and

WHEREAS, NOTICE OF THE DATE OF SAID HEARING WAS DULY POSTED IN THREE (3) public places within the county at least ten (10) days before the date of hearing; and was duly published within the Independent Record, a daily newspaper of general circulation printed and published in the City of Helena, Montana, with first publication at least ten (10) days before the date of hearing; and was duly sent by United States mail to each non-resident owner of taxable real and personal property within the District whose addresses were known; and

WHEREAS, notice was given as to the method of filing protests to the District; and

WHEREAS, hearing was had in Helena, Montana, on June 21, 1983, and again on June 28, 1983, at 9 AM, City-County Building at the regular meeting of the Board of County Commissioners; and

WHEREAS, there were not sufficient protests against the creation of the Mosquito Control District No. 2; and

WHEREAS it appearing that all of the proceedings for the creation of said District having been lawful and regular;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lewis and Clark County:

SECTION I

That Mosquito Control District No. 2, known as the Craig-Wolf Creek Mosquito Control District, of the County of Lewis and Clark, is hereby created for the purpose

of controlling mosquitos within a portion of the Craig-Wolf Creek area of Lewis and Clark County.

SECTION II

That the boundaries of the District and the description thereof are as set forth on Exhibit "A," attached hereto and made a part hereof, and as on file in the Clerk and Recorder's Office, Lewis and Clark County.

SECTION III

That the District shall be governed by a Mosquito Control Board which shall be composed of not more than five (5) nor less than three (3) members; that the Board shall have the powers as enumerated in § 7-22-2415, MCA.


SECTION IV

That the expenses of operating the Mosquito Control District shall be assessed against all property situated within said District, with the tax not exceeding the statutory limit; that the tax shall be placed in a separate fund with the County Treasurer and shall be used solely for the purpose for which the District was created.

SECTION V

Passed and adopted by the Board of County Commissioners of the County of Lewis and Clark, Montana, at a regular session held on June 28, 1983.

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY


John H. Wilkinson
John H. Wilkinson, Chairman
Bob Decker
Bob Decker
Linda Stoll-Anderson
Linda Stoll-Anderson

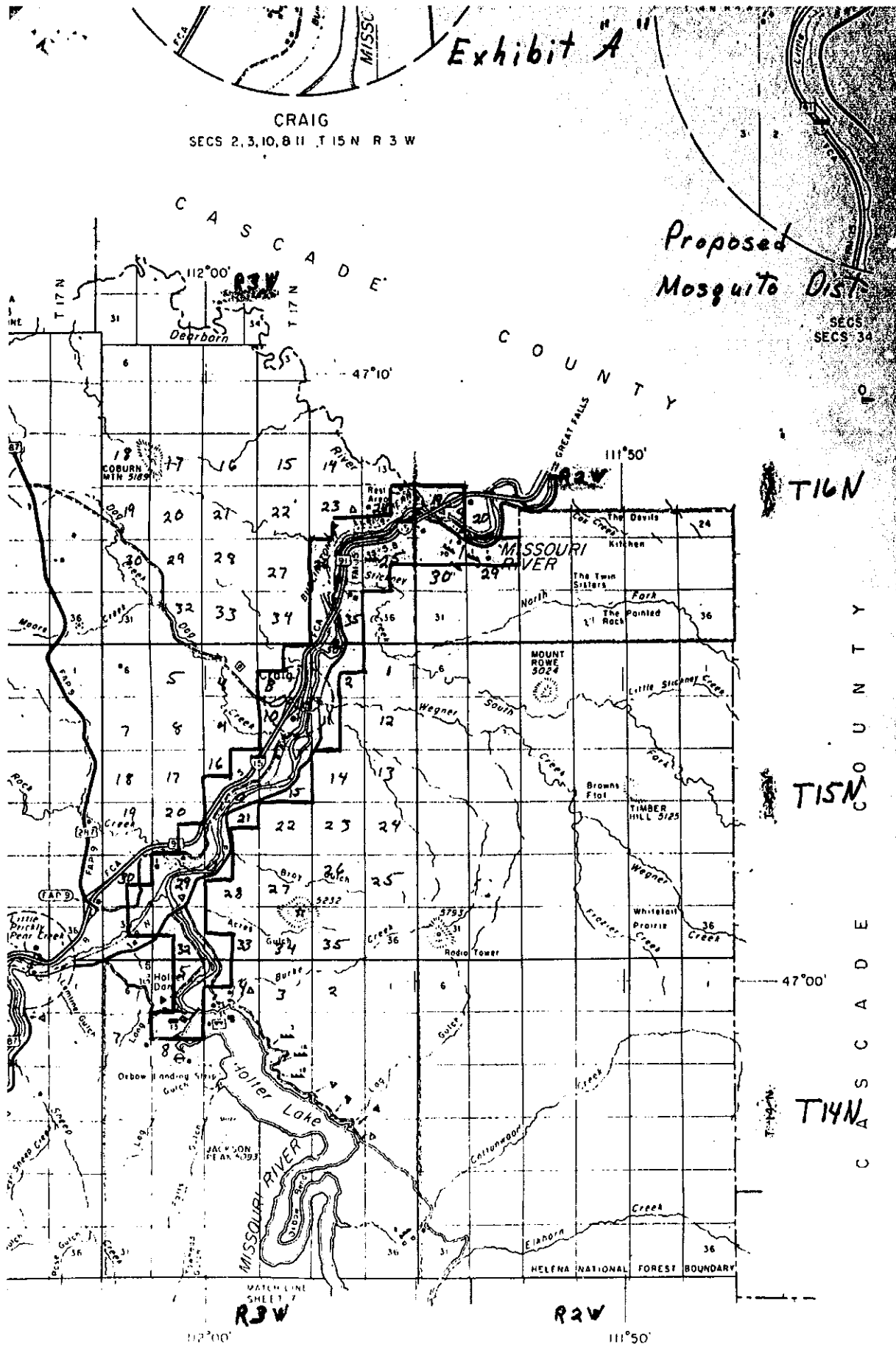
ATTEST:

Sue Bartlett
Sue Bartlett, Clerk of the Board

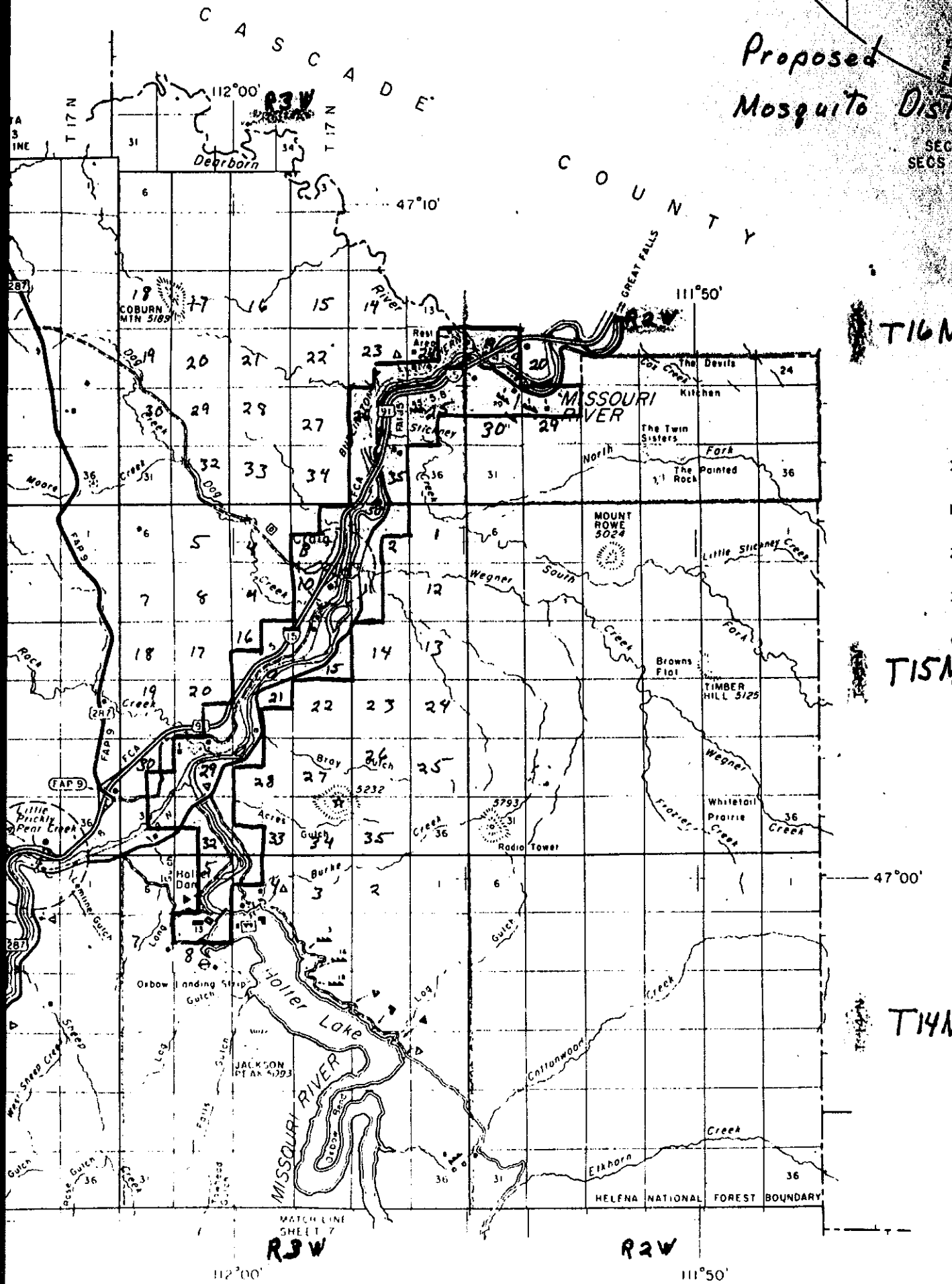
| | |
|----------|-------------------------------------|
| INDEXED | <input checked="" type="checkbox"/> |
| RECORDED | <input checked="" type="checkbox"/> |

362216
STATE OF MONTANA
COUNTY OF LEWIS & CLARK } 8
I hereby certify that the within instrument was filed in my office on this 8 day of Aug A.D. 1983 at 50 min. past 9 o'clock A.M. and recorded on page _____ of Book _____ of _____ Records of Lewis and Clark County, State of Montana.
Sue Bartlett
County Recorder
By Natly Davis
Deputy
no fee

Exhibit "A"



SEC
SECS





Approval of Craig-Wolf Creek Mosquito District Bylaw Update. (Christian Lehnert)

Presented By:

Summary:

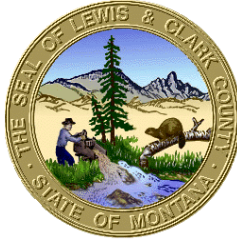
The Commissioners will consider approving the proposed updated bylaws.

Legal Review Required:

ATTACHMENTS:

| Description | | Type |
|--------------------------|--------|--------------|
| <input type="checkbox"/> | Memo | Staff Report |
| <input type="checkbox"/> | Bylaws | Contract |

Christian Lehnert
Noxious Weed & Mosquito Supervisor
clehnert@lccountymt.gov



Ph: (406) 447-8072
3402 Cooney Drive
Helena, MT 59602

Lewis and Clark County Noxious Weed & Mosquito Division

DATE February 27, 2025
TO: Board of County Commissioners
FROM: Christian Lehnert, Noxious Weed & Mosquito Division Supervisor
SUBJECT: Updated Bylaws for the Board of Directors of the Craig-Wolf Creek Mosquito District

Before you this morning are the most recent Lewis and Clark County Craig-Wolf Creek Mosquito District Bylaws.

The Craig-Wolf Creek District (District) was originally formed and boundaries designated through Resolution 1983-46, and prior bylaws were most recently adopted on June 6, 2013. Bylaws are used to establish the board's internal management by setting out the rules and responsibilities for shareholders, directors, and officers. The bylaws follow the District's organizational resolution and set the rules for meetings, specify voting procedures, and establish officer positions and responsibilities.

These bylaws support Resolution 2025-015, organizing the Craig-Wolf Creek Mosquito District Board and were presented, reviewed, and were unanimously approved by the Lewis and Clark County Craig-Wolf Creek District Board at the February 6, 2025, joint board meeting.

Staff recommend approval of the updated Craig-Wolf Creek Mosquito District Bylaws as presented.



Lewis and Clark County

BYLAWS FOR THE BOARD OF DIRECTORS OF THE CRAIG-WOLF CREEK MOSQUITO DISTRICT

1. Name and Location:

The Craig-Wolf Creek Mosquito District was originally formed and boundaries designated through Resolution 1983 – 46 by the Lewis and Clark County Commission.

The district's area as defined in Resolution 1983-46, Exhibit A. Exhibit A is attached as reference

The headquarters of the Craig-Wolf Creek Mosquito District shall be at the Lewis and Clark County Weed District Office.

2. Authorization:

The authorization to create this district is set forth under Title 7, Chapter 22, Part 24 Mosquito Control Districts.

3. Purpose:

The purpose of the Craig-Wolf Creek Mosquito District Board is to implement the mosquito control program in Lewis and Clark County. District Funding:

A mosquito fund, established by the Commission, finances the operations of the District. The fund is financed by the levying of a tax on all taxable property within the District.

4. General Powers and Duties:

The Board has the powers and exercises the duties and functions convened upon it by the Lewis and Clark County Commission pursuant to Resolution 2025-015. The district's responsibility is to provide for the establishment, management, operation, and administration of a mosquito abatement program and to monitor mosquito activities within its area to benefit those who pay for the service.

- Provide for the recommendation for the development and administration of a program for abatement and alleviation of mosquito conditions within district.
- The district also assists with mosquito related concerns and complaints on a case-by-case basis.
- Employ suitable and competent employees or contracted services may be necessary and provide for compensation, as approved by the Board of County Commissioners.
- Cooperate with any corporation, association, individual, or group of individuals, agencies – local, county, state, or federal – in the mosquito abatement program; and

5. The Board shall be appointed by the Lewis and Clark County Commission in accordance with Resolution 2011-191.

- Members: The Board shall be made up of three (3) residents within the district that pay property taxes. In accordance with Resolution 2025-015 shall have three (3) voting members appointed by and serving at the pleasure of the Board of County Commissioners.
- Ex-officio members (non-voting):
 - One Lewis and Clark County Commissioner who represents the Commission.
 - Mosquito District Coordinator. To assist with
 - Schedule meetings with location, date and time.
 - Assists with the development of agenda with Chairman;
 - Keeps records, including board meeting minutes and other mosquito related documentations as shared and provided. Following records retention and other county standard practices and procedures.

6. Terms of Board Members.:

Members of the Board shall serve at the pleasure of the Board of County Commissioners, in accordance with Resolution 2011-191 once they have completed two (2) terms of three (3) years or have served for a total of six (6) years.

7. Fiscal Year:

- The fiscal year of the District shall begin on the first day of July of each year and end the last day of the following June.
- The District will operate under the Lewis and Clark County Financial system and will be audited manually as provided by law.
- At least one meeting will be held prior to April to review:

- Revenues and expenses;
 - Review operations;
 - Elections of Officers (Chairperson and Vice Chairperson)
- The board shall submit preliminary rate recommendations and budget to the Board of County Commissioners as provided by law, by April 15th of each year.
- On or before February 1 of each year, the Board shall submit to the Montana Department of Public Health and Human Services and Montana Department of Agriculture, for their review and advice, a written report of its operations for the preceding year and a written plan covering its control program for the ensuing year. This report must be kept and shared with the County for proper records management

8. Meetings:

- a. All meetings (regular, special, and subcommittee) and work sessions shall be open to the public unless privacy concerns outweigh the public's right to know and participate. Any meeting closed for such purpose shall be conducted in accordance with applicable statutes.
- b. Quorum. The presence at any scheduled meeting of a majority of the Board members shall constitute the necessary quorum for the transaction of business. A quorum is required for regular and special meetings but not for work sessions or subcommittee meetings.
- c. The annual meeting of the District shall be held in March/April. At this meeting, the Board shall: 1) present the annual report, include programs and activities of the District for the previous year, and the financial report; 2) adopt the coming year's preliminary budget for the District; and 3) invite suggestions and recommendations for improving the District's overall operations for the coming year from those in the District who receive service.
- d. Special meeting of the Board may be called at any time by the Chair of the Board, the Vice Chair (acting in the absence of the Chairperson), the Coordinator, or by a majority of members. A minimum of three (3) days notice of the date, time, and place and agenda of special meeting must be given to each member (including Ex-officio members) and the public.
- e. Written or printed notice of each meeting of the Board, whether annual or special, stating the place, date, hour, and purpose for which the meeting is called shall be given to each of the Board members. Public notice will be provided in accordance with State law and county policy.
- f. Any citizen may comment or provide testimony on any item on the agenda and any item not appearing on the agenda but within the jurisdiction of the Board.

- g. Minutes of all Board meetings shall be kept on file by the Mosquito District Coordinator at the Lewis and Clark County Weed District Office. Minutes shall comply with **MCA 2-3-212**. Board shall submit the minutes of its proceedings within 30 days after the accordance with the provisions of Title 2, chapter 6, part 12 (**MCA 7-1-204**). Appropriate minutes of all meetings required by **MCA 2-3-203** must be kept and as the official record of the meeting. A written record of the meeting must also be made and must include the information specified in subsection (1).
 - 1 Minutes must include without limitation: the date, time, and place of the meeting.
 - a A list of the individual members of the public body, agency, or organization who were in attendance and absent, staff members and, if possible, name of public attendees.
 - b The substance of all matters proposed, discussed, or decided and all addendums, information presented, reports, shall be attached to the minutes of the meeting; and
 - c At the request of any member, a record of votes by individual members for any votes taken.
 - 2 A log or time stamp for each main agenda item is required for the purpose of providing assistance to the public in accessing that portion of the meeting.
 - 3 Any time a presiding officer closes a public meeting pursuant to MCA 2-3-203, the presiding officer shall ensure that minutes taken in compliance with subsection (1) are kept of the closed portion of the meeting. The minutes from the closed portion of the meeting may not be made available for inspection except pursuant to a court order.

9. Officers and Their Duties:

- a. The Board at the first annual meeting shall elect from its membership the chair and vice-chair of the Board.
- b. The Board shall secure the services of a secretary who may be a member of the Board, or county employee. The secretary shall record the minutes, maintain records, and send out meeting notices, among other duties.
- c. Additionally, the Board may with approval from the Board of County Commissioners employ other persons as is deemed necessary to discharge the obligations of the District. The Board will determine qualification and duties.
- d. The Board is responsible administering the District pursuant to all applicable Federal, state and local laws, regulations, and policies,

including but not limited to all County policies involving contracts, purchasing, procurement, employment, and notice.

- e. The Board shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted.
- f. The secretary shall prepare an agenda for Board and other meetings. Agendas shall be provided to each member of the Board no later than three days prior to the meeting date. Hard copies shall be made available to the public at the time of the open meeting.
- g. Voting members shall be entitled to mileage reimbursement, pursuant to Resolution No. 2011-191.
- h. The Board of Directors shall review the bylaws of the Craig-Wolf Creek Mosquito District at least every 3 years or whenever deemed necessary by a vote of a quorum of the Board Members. Any amendments may be made to these bylaws at a meeting called for that purpose.

10. Adoption and Amendment

These bylaws were last adopted on June 6, 2013, and amended on ____ day of _____ 2025 upon approval by a majority of the members of the Craig-Wolf Creek Mosquito District Board.

Dated this _____ day of _____ 2025.

Craig-Wolf Creek Mosquito District Board of Directors

Chairperson

Vice-Chairperson

Dated this _____ day of _____ 2025.

Lewis and Clark County Board of Commissioners

Candace Payne, Chair

ATTEST:

Amy Reeves, Clerk of the Board

Attachments:

Exhibit "A"



Letter of Intent for Grant Application to the Treacy Foundation for the Unionville Schoolhouse Rehabilitation.
(Pam Attardo)

Presented By:

Summary:

The Commissioners will consider the Letter of Intent to submit a grant application to the Treacy Foundation in the amount of \$40,000 for the Unionville Schoolhouse Rehabilitation.

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|--|--------------|
| ❑ Memo to BoCC re Treacy Fdn LOI for grant app | Staff Report |
| ❑ Treacy Foundation Ltr of Intent from BoCC | Attachment |
| ❑ Treacy Foundation background for BoCC | Attachment |

MEMORANDUM



TO: Board of County Commissioners

FROM: Pamela Attardo, Heritage Preservation Officer

DATE: February 20, 2025

RE: Treacy Foundation Letter of Intent for Grant Application, Unionville School

The Helena/Lewis & Clark County Heritage Tourism Council (HTC), in partnership with the nonprofit Unionville Community Collaborative, requests approval of a Letter of Intent to apply for a \$40,000 grant from the local nonprofit Treacy Foundation. These funds would allow volunteers to complete the final phase of restoration of the 1872 Unionville Schoolhouse, rendering it usable for community events.

Funds from the Treacy Foundation would be used for the following: 1) chimney repair; 2) restore 1872 double-hung windows and front door in the vestibule; 3) purchase and install a period-appropriate propane stove heater and exterior propane tank; 4) purchase folding tables, strip carpets to protect the historic wood floor, cleaning supplies and vestibule furnishings for community events; 5) purchase a period-appropriate exterior wooden sign; 6) print reproductions of historic Unionville photos to display on the school walls.

To receive such funds, the County must submit a Letter of Intent, which starts the grant process. Upon invitation by the Treacy Foundation, the County must next submit a grant application. If the grant is awarded, the County approves and executes a grant agreement and files a grant report once the work is completed in accordance with the grant agreement.

Additional information on the Treacy Foundation is attached to this memorandum.

Recommendation: HPO recommends **APPROVAL** of the Treacy Foundation Letter of Intent.



Lewis & Clark C O U N T Y



BOARD OF COUNTY COMMISSIONERS

Andy Hunthausen

Candace Payne

Tom Rolfe

City County Building 316 North Park Helena, Montana 59623 406.447.8304 Fax: 406.447.8370

February 27, 2025

Mike Cooney, Director
Treacy Foundation
P.O. Box 1479
Helena, MT 59624

Re: Unionville School Grant Application

Dear Mr. Cooney and Treacy Foundation Grants Committee:

Thank you for the opportunity to state Lewis and Clark County's intent to apply for a Treacy Foundation grant. Established in 1865, Lewis and Clark County is a tax-exempt political subdivision of the State of Montana and has a longstanding history of financial excellence in managing public and private funds, including grants.

In partnership with the nonprofit Unionville Community Collaborative ("UCC"), our proposed project is to complete necessary restoration work on the historic Unionville School (a County-owned building) so that it can serve as a neighborhood community center. Since 1872, the Unionville School has served as an educational and community touchstone, its beadboard walls functioning as a school, dance hall, church, voting venue, and community gathering spot.

The total project cost to restore the Unionville School is approximately \$164,000. Of this, \$124,000 has been secured through funds from the Foundation for Montana History, the County's American Rescue Plan Act program, the Wall Family Foundation and local citizen contributions. A substantial amount of the restoration was completed in 2023 and 2024, including a new roof, restoration of the exterior siding to its historic white color, asbestos abatement, historic window repair and structural support, a new foundation and drainage system, new wiring and repair of structural deficiencies in the attic rafters. The Lewis and Clark County Commission, in partnership with UCC, humbly requests \$40,000 to complete the following restoration efforts to ensure the building is a safe and suitable community center: chimney and vestibule window repairs, installation of interior trim, installation of propane heat with an exterior tank and the purchase of furnishings. The Unionville community and the County Heritage Tourism Council strongly support these restorations as evidenced by volunteers donating \$62,430 in time and materials and 1,640 labor hours to the school between November 2022 and September 2024.

On behalf of the Lewis and Clark County Commission, I strongly support this project, and we hope that the Treacy Foundation will consider this project as a worthy recipient for these much-needed funds.

Sincerely,

Candace Payne
Chair, Lewis and Clark County Board of County Commissioners
(406) 447-8301
bocc@lccountymt.gov

Treacy Foundation Background

The Treacy Foundation began January 3, 1946 at the Union Bank in Helena, Montana as the O'Connell Foundation with James E. ("Eddy") O'Connell, A.T. Hibbard and Hugh D. Galusha as its founding Trustees. In 1947, the O'Connell Foundation name was changed to the Treacy Company. The Treacy name came from Eddy's mother's maiden name. Eddy was a successful businessman in Montana and surrounding states.



J.E. ("Eddy") O'Connell, 1926



J.E. ("Eddy") O'Connell, ca. 1972

Eddy wanted to help his employees' families send their children to college, and so, a legacy of giving began. Upon Eddy's death in 1972, his son, James continued the legacy of the foundation until his death in 2010.

In the early 1960's it was determined that the foundation was to be managed in perpetuity and emphasis would be on growth and stability. This decision has enabled the Treacy Company to donate millions of dollars since 1947.

Recently the Treacy Company name was changed to the Treacy Foundation. The Foundation continues to help communities and college students with charitable contributions and scholarship grants.

Eddy is also well known for Eddy's Bakery. His focus was his attention on making good bread for a good price and in the process he established a legacy of bakeries and distribution centers throughout the northwest. Learn more about Eddy's Bakery and the Ghost Sign Restoration Project at: <http://www.eddysghostsigns.org/>

2025 Board of Directors:

Chair: Tom McCarvel, Vice Chair: Kimmy Skiftun, Secretary/Treasurer: Kelly O'Connell, Mike Cooney (also Executive Director), Michelle Bazzanella



INDEPENDENT RECORD

Established Dec. 17, 1865

Helena, Montana, Monday Evening, October 9, 1972

14 Pages

10c

J. E. 'Eddy' O'Connell dies

James Edmund "Eddy" O'Connell, who rose from a waiter at Helena's famed Broadwater Hotel to a giant in America's baking industry and a leading philanthropist, died Sunday at St. John's Hospital after a brief illness. He was 86.

Rosary will be recited at 7 p.m. Tuesday at St. Helena Cathedral. Funeral services will be at 10 a.m. Wednesday with the Most Rev. Raymond G. Hunthausen, bishop of Helena presiding at a concelebrated mass of the Resurrection. Burial will be at Resurrection Cemetery.

O'Connell was born Aug. 27, 1886, in Dewitt, Iowa, to Edward and Abby Treacy O'Connell, and moved to Parker,

S.D., with his family when he was a child. He received his early education in Parker.

Montana Club manager

In 1906, at the age of 20, he moved to Helena to become a waiter at the Broadwater, and a year later he became manager of the Montana Club.

In 1908 he and his brother Frank bought a small bakery in Missoula and launched upon a meteoric career that was to make Eddy's bread a household word in Montana and much of the West and which also was to include such varied enterprises as restaurants, ranching, insurance, hotels, resorts, advertising and supermarkets.

The success of the soft-spo-

ken, gentle-mannered O'Connell was to enrich Helena culturally as well as economically. His principal generosity was toward Carroll College which, in 1966, dedicated its new administration-classroom building in his honor.

He also organized the Treacy Foundation in memory of his mother. Since 1929 that foundation has provided college scholarships to students in the Northwest.

In 1910 O'Connell and Ed Galivan bought the Capital Cafe in Helena and changed the name to the Eddy Cafe. Three years later they bought the Grand Central Hotel, changed the name to the Eddy Hotel, moved the cafe to that location and

opened the Creamery Cafeteria in the old cafe location.

Ranching business

O'Connell got into the ranching business in 1915 when he and his brother Frank bought the Marks and Munden Ranch, with 10,000 sheep and 200 cattle, in Broadwater County. Over the years they expanded the ranching interests.

By 1936 it had grown to a ranch that produced the largest wool clip in Montana, with 30,000 ewes.

Helena's first Eddy bakery was in the basement of the Eddy Hotel. It was moved in 1916 to a ground-floor location at 16 Edwards where it operated for 54 years and where O'Connell maintained his office until his death.

Acquisition of other bakeries began in 1919, the same year that O'Connell sold the hotel, and eventually grew to a chain of 21 bakeries in the Northwest.

With the demand increasing for soft cakes and the market being taken by Spokane and Minneapolis bakers, O'Connell bought land and a building on Park Avenue in Helena in 1928 where he established a modern cake factory to supply the Montana market.

O'Connell's major expansion outside of Montana took place during the depression of the 1930s when he acquired bankrupt and hard-pressed bakeries in Washington, Utah, Idaho, Minnesota and the Dakotas.

Created ad agency

To handle the advertising for the baking empire, O'Connell created Sage Advertising Agen-

cy, which still has its headquarters in Helena.

Another major expansion took place within Montana in 1955 when the Eddy Bakeries bought the Bon-Ton Bakeries in Billings, Bozeman and Butte.

In 1958 O'Connell sold his bakery interests to General Baking Co. of New York, the third largest baking corporation in the United States. He later became the president, board chairman and chief executive officer of General Baking.

That same year O'Connell set up a deal to buy the Yellowstone Park hotels for \$3 million in cash.

In 1963 the O'Connell firm began an interest in the Glacier General Assurance Co. Hotel operations were expanded in 1966 with the building of the Capri Motel in Butte and the following year with acquisition of a major interest in the Florence Hotel in Missoula. The Florence was sold in March of this year.

O'Connell was president of Capri Inc., a management corporation for the hotel, insurance, real estate and other interests. He was an officer and director of Glacier General and a director of Quality Food Centers of Seattle.

Survivors include his son, James of Helena; six grandchildren, Linda Martinsen of Missoula, and Lori, James III, Kelly, Kim and Patti O'Connell, all of Helena, and one great-granddaughter, Becci Martinsen of Missoula. He was preceded in death by his parents and brother Frank.

He was a member of the

(Continued on Page 2)

in Russia port plans

behind scheduled Moscow said to import satellite countries, reportedly a highly reported

are reported bought not yet as much as wheat, rye

and barley may be sold to the USSR by Germany," the report said.

"In addition, it is believed that Romania has agreed to supply as much as 500,000 tons of wheat," the report said. "These amounts, totaling 1.5 million tons, are in addition to the estimated 23-27 million tons of grain previously reported as having been arranged for import by the USSR."

Grain and soybean sales by the United States this year are estimated to total around 18 million tons, more than half in wheat.



J. E. "Eddy" O'Connell

J. E. 'Eddy' O'Connell dies

(Continued from Page 1)

President's Council of Carroll College, a member of the Carroll College Foundation board, a member and twice president of the Helena Chamber of Commerce, and a member of the board of directors of the Union Bank and Trust Co. He also was a member of the Elks, Eagles, Knights of Columbus and the Montana Bakers Association. He received an honorary doctor of laws degree from Carroll in 1965.

An Urban Renewal casualty Edwards Street



Photos courtesy of the Montana Historical Society; Map by Wayne Kinkel

Pictures show Eddy's Bakery vehicle and bakery at left; and the bus depot, upper left. Map numbers correspond to numbers in story to help pinpoint building locations.

Edwards Street was a densely populated, two-block business area that once ran from North Main (now Last Chance Gulch) west to Olive Street. Historic maps of Helena show that by the early 1880s, Edwards was already crowded with businesses lining both sides. The spectacular Marlow Theater, the first location of the Helena branch of the Federal Reserve Bank, Eddy's Bakery and the Union Bus Depot all had Edwards Street addresses. During the 1960s and 1970s, when money from federal programs resulted in great changes in historic downtown Helena, some of these changes occurred as Urban Renewal clashed with Edwards Street.

During the 1870s, the Northern Pacific Stable and Snub Saloon occupied the southwest corner of Edwards and North Main (#1 on map). Charles A. Broadwater purchased the property and built the five-story Montana National Bank in 1883. The Helena City Directory described Broadwater's bank a few years later as "an institution which enjoys the confidence of the entire community." The upper floors originally housed offices while a barber shop and bath house operated in the basement.

TRAGEDY STRUCK ON JAN. 9, 1944 when the Montana National Bank building burned. Two women died in the fire and eight others, including two firemen, were injured. Wellington Rankin owned the building at this time, which then housed the State Unemployment Compensation Commission, other offices and apartments. Helena's Navy Recruiting Station had its storeroom on the fifth floor while the U.S. Unemployment Service offices were at the rear. According to the local newspaper, Carroll College sailors and soldiers on pass from Fort William Henry Harrison formed a bucket brigade and succeeded in removing many records and office fixtures from the building. Firemen fought the blaze from the roof of the Union Bank building (#2) across the street. Coffee and sandwiches donated by the Spencer Cafe were served to the firemen on the rooftops by Louis Teddy, secretary of the local Cocks' and Waiters' Union. The Livestock Building, now a familiar landmark on the modern walking mall, was constructed by the Montana Livestock Company on the site the following year.

Before the current Masonic Temple was built at Broadway and Jackson, the fraternal organization met in a two-story temple at the northwest corner of Edwards and Main (#2). L.H. and Aaron Hershfield paid the Masons \$25,000 for the property and the Merchants National Bank (later the Union bank) was erected in

VIVIAN HAYES



MORE FROM THE QUARRIES OF LAST CHANCE GULCH

place of the temple in 1887. The bank, located south of the present Park Plaza Hotel, was one of the more substantial buildings razed by Urban Renewal in the early 1970s.

The Marlow Theater (#3) made its appearance on Edwards Street in 1917, but long before that, livery-related businesses operated on much of this block. These included saddle and harness shops, the Central Stables and Carriages, J.H. MacFarland's City Stables and W.H. Holbrook's livery. Liveries had become nearly obsolete when the Marlow opened to serve the community. Several generations of Helenians grew up on silver screen attractions at the Marlow until the 1970s when, like the Merchants Bank, the theater stood in the way of the planned extension of Broadway to Park Avenue. Previously, Broadway ended at North Main (Last Chance Gulch). Both the Merchants Bank and the Marlow were sizable landmarks on sites

Song Long and the On Wah, located in this block tucked in among livery services. By 1909, an undertaking business occupied the corner (site #4). In 1921, the Federal Reserve Bank bought the building for \$15,000. Before the bank could move into the remodeled funeral parlors, mining tunnels underneath had to be filled with concrete to support the weight of the bank's vault. In 1930, John Dillinger rented a room across the street. Worried that the gangster might be casing the bank, officials hired a second guard. Dillinger's stay in Helena, however, was uneventful. The bank moved to North Park Avenue in 1938 and the Union Bus Depot moved into the former bank. The bus depot was home to the Intermountain Transportation Company, Washington Motor Coach System, the Northland Greyhound and Northwest Greyhound Lines, and the Canyon Transportation Company. Helenians might chuckle at Butte for having a market with the name Terminal Meats, but Helena's depot boasted the Terminal Luncheonette.

Typical of most downtown areas, many of the Edwards Street buildings had lodgings upstairs. Frank Hervey Cook of the A. B. Cook Ranch was among well-known locals who lived briefly on Edwards Street, renting a room in the building next door to the Marlow in the late 1930s. Dr. Everett Lindstrom's Helena Clinic later operated in this building in the 1950s and 1960s. Many Helenians might remember taking lessons at the Cummings School of Dance, also located during this time along the block.

BY 1891, A NUMBER of businesses had located cross the street on the north side of Edwards Street. The Helena Meat Company under L.E. Kaufman and Louis Stadler with D.J. Arnold as manager (#5) was one of these. The block also accommodated an assay office, hotel, electrical supply shop and the Merchants Bank. After the turn of the century, the block became home to Eddy's Bakery, one of Helena's well-known businesses.

Twenty-year-old James E. (Eddy) O'Connell came to Helena in 1906 and first worked as a waiter at the Broadwater Hotel. A year later he became manager of the prestigious Montana Club. In 1910, O'Connell and Eddy Gallivan bought the Capital Cafe at 105 North Main and changed its name to the Eddy Cafe. A steaming cup of coffee was its logo. Three years later in 1913 the partners bought the Grand Central Hotel around the corner on North Main Street next to the Merchants Bank and changed its name to the Eddy Hotel. They moved the cafe to the hotel and opened the Creamery Cafeteria in the old

(More EDWARDS, page 6A)

A walk of the area is the best way to understand the changes that brought about the disappearance of this once-bustling street.

designated for parking under the Urban Renewal plan.

IN ADDITION TO LIVERIES and related enterprises, other businesses were also housed in the first block of Edwards Street where the Marlow was eventually built. Early Helena had an active Chinese community, which was centered around the present-day federal building at the southwest end of town. In 1890, Helena had 29 Chinese laundries; among them were the

May 6, 1999

Edwards

Continued from Page 5A

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cafe location. O'Connell was also the proprietor of the Eddy Bar next door to the hotel.

In 1908, Eddy O'Connell and his brother Frank purchased a small bakery in Missoula. Helena's first Eddy's Bakery was in the basement of the Eddy Hotel. It moved over to Edwards Street in 1916 where it operated for some 50 years. The 1930 Sanborn fire insurance map of Helena shows the brick ovens of the bakery. About 1919, O'Connell began buying small bakeries, and he eventually ran a chain of more than 20 bakeries in Montana and the Northwest, making Eddy's Bread a household word.

Soon after Eddy established his bakery, Prohibition dispersed Helena's red light district, previously located on Wood (now Miller Street). Pearl Maxwell, a contemporary of Ida Levy and a predecessor of "Big Dorothy" Baker, for a short time operated what may have been a brothel under the guise of "furnished rooms." A change in address numbers makes the exact location difficult to pin down, but Pearl's place seems to have been either over the bakery or just next door. The address, 18 1/2 Edwards Street, was likely where Dillinger stayed and was later known as the Imperial Hotel.

By 1962, Eddy's Bakery building also housed the executive offices of the US Defense Department and two branches of the US Air Force, the Civil Air Patrol and the Air reserve Squadron. Sage Advertising Agency, owned by O'Connell, also had an office in this block. While Eddy's Bakery moved to 40 South Park Ave. later in the decade, O'Connell maintained an office in the former Edwards Street bakery until his death in 1972.

AS HELENA'S LIVERIES GAVE WAY to automotive interests, a garage had been established by 1927 on the northeast corner of Edwards Street and North Park Avenue (#6). First known as Meyers' Garage, it

of the Marlow Theater.

Edwards Street continued across Park Avenue another block to the west where early maps show the Helena Skating Amphitheater during the 1880s (#8). Given the slope to the current area, it is difficult to imagine enough level ground for such a facility. The skating rink shared the block with a liquor warehouse, and later a beer bottling company operated at that location. All these enterprises were gone before the turn of the century. By the early 1970s, much of Edwards Street was vacant, parts were under construction, the Marlow Theater was gone and Eddy's Bakery building vacant.

Occasionally an out-towner or a newcomer to Helena will request directions to an Edwards Street address. A walk of the area is the best way to understand the changes that brought about the disappearance of this once-bustling street. A search for Edwards Street necessarily begins at the Livestock Building where the Montana Wool Growers Association and livestock companies still retain offices. Of the many substantial commercial buildings that once graced Edwards Street, only this building stands today. A small stone column from the original Merchants National Bank remains at the southeast corner. Glancing up the hill to the west, a single small building with antiquated arched windows may be seen to the left of the area where Edwards Street once ran. Parking lots on both sides make up the rest of what was once the first block. The second block where the skating rink somehow rested on the hillside slope is now taken up by apartments, condominiums and yards. Strolling through the parking lots to the west across Park Avenue brings you to a narrow sidewalk that runs up the hill to North Benton Avenue. The east/west street is now called Ming Place. One block farther west brings you to the corner of Ming and Olive where the name Edwards Street is embedded at the edge of the sidewalk, a reminder that Edwards Street once extended this far.



Order an Investigation for the Petition to Abandon Roads in the Rumping Addition to Marysville. (Christal Ness)

Presented By:

Summary:

The Commissioners will consider ordering an investigation into the road abandonment petition for the Rumping Addition to Marysville.

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|---|--------------|
|  Memo for an Investigation | Staff Report |

Memorandum

To: Board of County Commissioners
CC: Roger Baltz, Chief Administrative Officer
From: Christal Ness, Development Services Supervisor
Date: 2/24/2025
Re: Rumping Addition to Marysville, Investigation

Lewis and Clark County has received a completed application and petition to close three separate roads, platted with the Rumping Addition to Marysville, in 1887. The roads are specifically, a portion of Grand Avenue, a portion of Highland Street, and a portion of Park Street, as platted with the 1887 plat. Pursuant to 7-14-2603 MCA, the Board needs to “cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the petition.”

The Rumping Addition has had previous roads abandoned, the roads as platted have never been constructed, and the existing road through the area is not contained in an easement. This project proposes to abandon the existing non-built roads, will dedicate an easement for the existing road, and will also cover the results of a quiet title action on the “proposed water way” as shown on the original plat. A more thorough discussion about the proposed project and location of the project will be provided in the staff report detailing the results of the investigation into the proposed project.

Staff recommends the Board of County Commissioners approve an investigation into the road abandonments, and the proposed road dedication, appoint the following staff to the investigation: Jenny Chambers, Director of Public Works, or her designee; Christal Ness, Development Services Supervisor, and one County Commissioner.



Board Appointment. (Roger Baltz)

Presented By:

Summary:

- Information Technology & Services Board

Legal Review Required:

ATTACHMENTS:

| Description | Type |
|--|------------|
|  Board Appointment Memo | Attachment |



TO: BoCC, Roger Baltz
CONTACT: Brandi Spangler
DATE: February 27, 2025
RE: Board Appointment

These candidates meet the qualifications for consideration of each board.

Information Technology & Services Board

Gary Myers completed his first term as the joint Community at Large member. He wishes to be appointed to a second term that will expire January 31, 2027. He was selected by the City of Helena for a second term. There were no other applicants.

Action

Staff recommends that the Commissioners consider the applicant for the Information Technology & Services Board to a second term that will expire January 31, 2027.