



Helena Citizens' Council (HCC)  
Minutes  
July 28th, 2021 7:00pm  
Via Zoom

**Meeting was called to order by Dylan Klapmier at 7:03pm**

**Attendance:** Pat Marron, John Andrew, , Diana Hammer, Nancy Perry, Ben Kuiper, , Sumner Sharpe, Margaret Strachan, Colleen Murphy, Tom Woodgerd, Dylan Klapmeier, Joseph Lehman, Ryan Schwochert, James Colegrove, Karen Wilson, Steve Allen, John Walden, Denise Roth-Barber, Heidi Freidlander, Chelly Hasquet, Susan Steffens  
Peggy Benkelman(coordinator)

**Excused:** Tim Chisman, Mike Rooney, Gary Dalton, Samson Boyd, TJ Lehman, Ben Kennedy, Bob Habeck

**Guests:** Ben Rigby( Water Production Superintendent) Ryan Leland (Public Works Director) Dr. Gregory Thomas (member of the public)

**A Quorum was established**

**Public Comments on Non-Agenda Items – None**

**Introduction of New HCC Members:**

District #5 – James Colegrove – Unexpectedly left the zoom due to illness. He apologizes.  
District #5 – Karen Wilson – Karen states she has lived in Helena for about 3 years. She works for the Office for Commission of Higher Education. She is interested in affordable housing and also how the K thru 12 students will recover after COVID. She is happy to be serving as a member of HCC.

District #6 – John Walden – John says he has lived in Helena for 3 years too. He grew up in Great Falls and has retired from the oil and gas industry. He is interested in the growth issues in Helena.

**Approval of June Minutes** – no corrections or comments on Minutes for June 23, 2021 meeting. Minutes stand approved.

**Guest Speakers: Ryan Leland** – Public Works Director

**Ben Rigby** – Water Production Superintendent

Ben says the water restrictions have allowed the Helena water to get to a better level. On June 14<sup>th</sup> they were processing 16 million gallons per day which was too high.

Helena relies on two water treatment plants – Ten Mile and Missouri River. About 40% of Helena's water comes from Ten Mile and 26% from the Missouri River.

Because of little to no rain in June and very little snow this winter, the level of water had dropped. Scout Reservoir at 7200ft. (part of Ten Mile Treatment) still has levels of good clean water.

Dylan Klapmeier asks where Helena's water comes from and why water restrictions were put in place this summer? Ben R. replies Helena's water comes from Ten Mile Treatment

Plant where they collect water from several streams and also have two wells. Due to little rain and snow this year, along with temperatures of 104 degrees on June 14<sup>th</sup>, they had to treat (make) more water than any other day in 2019 or 2020. The second source of water for Helena is the Missouri River → Canyon Ferry → Regulating Reservoir. This source costs money for treatment. It costs about 25% less to make water from the Ten Mile watershed. Helena does have water rights to the deep aquifer in the Helena Valley also.

Ryan Leland states that it was not necessarily that we didn't have enough water this summer, but demands were higher and they could not treat (make) the water fast enough. Also, the city's fire suppression water does come from the drinking water and during this fire season, the city wanted to play it safe.

Colleen Murphy asks: did the city impose restrictions on sprinkling in the parks? Ryan Leland says that several of the parks have their own wells so they didn't have to abide by the restrictions. However, Memorial and Centennial Park are so large they may have "fudged" a bit regarding use of water.

Pat Marron asks: What plans does the city have in place to address future water shortages especially considering the large approved future housing developments. Ryan L. responds that the city is putting together a large master plan, replacing filters (this will make the treatment plants more efficient) and discussing how in the near future, the Missouri River Treatment Plant will have to be replaced as it is reaching the end of its life. Ryan says the city is encouraging use of better water-resistant landscaping and also educating the public on better use of water. The city of Helena also can utilize ground water rights in the future.

Sumner Sharpe asks how the lawsuit regarding water rights and the city of Helena turned out? Ryan Leland did say that Helena win the suit. There still is a question about using .46 acre/feet per day of water.

Nancy Perry asks why is treated water used to fight fires? Ryan L responds that it is more economical to have one system vs. two systems of water with the second one being redundant. It is purely economical to have just one treatment system. Nancy Perry also asks about efficiency. Ben Rigby responds that the filters have hydro-capacity and the more water you make, the more often the filters have to get washed out to make them run efficiently.

Steve Allen asks how long will the water rationing continue in Stage 3. Ryan Leland says at least until September 1<sup>st</sup>. We don't want to run the Scott Reservoir out of water and have to go to a Stage 4 designation which would mean no outdoor watering.

Ryan Leland says thank you to Denise Roth Barber and Diana Hammer along with the Citizen Conservation Board for their work on the Water pamphlet. HCC members will be sent a link to it.

Margaret Strachan asks if it is legal to use grey water on yards. Ryan Leland replies it is under review in the State now. There are/will be legal requirements for building and plumbing to use grey water. Ryan L. says the city is also looking into using waste-water effluent on soccer fields and in Fire Tankers.

John Walden asks about how the city is caring for leaks/maintenance within the distribution of water throughout the city. Ryan Leland replies that the City of Helena has been doing a good job of repairing the main lines. For example, the Clear Well at Ten Mile was lined and that resulted in a savings of 300,000 gallons per day of water. The Hill Reservoir (near Rodney St.x Davis) was also lined resulting in 30,000 gallons of water saving per day. Some of the old mains were 100 years old and by replacing them, the city is saving 100-150,000 gallons of water per day. ARPA funds will be a big help in regards

to this maintenance and repair. The city has under a 20% loss of water, which is great for this type of system. There is a water main replacement program in place.

Denise Roth-Barber thanks both Ryan and Ben for all the good work they have done this summer. She also asks about the mine waste leak in Rimini. Ryan Leland responds: the leak was from the Susie Mine, which is abandoned with no ownership, so no-one to perform the clean-up. EPA has had to take this on. There are over 150 mines (many abandoned) in the Rimini area. The City took its own water sample when the mine leaked mineral discharge. The city's sample had 100 times higher level of metals than the EPA sample. The EPA says they will be putting in a water treatment plant there when money becomes available.

Dylan Klapmeier asks about how ARPA funding will be used. Ryan Leland says that there are essentially 3 pots of money; 1. \$8.4m of which the majority will be used for water and sewer 2. \$5.5m of which 25% has to be matched and can strictly only be used for water and sewer 3. Competitive Grant – the City of Helena has requested \$38M to be used for a variety of projects. Ryan L. states the majority of the money will be used to upgrade Ten Mile filters and have improvements made at the Headwaters gates. Approximately \$50m will be used to improve capacity/efficiency.

Colleen Murphy asks about this EPA partnership with the city. Ryan Leland says that after talking with the EPA representatives in Rimini, they say they do not have the funding to clean up the mines. Colleen mentions the large mine in Jefferson Co. and its potential for disastrous pollution. Ryan agrees we should write to our Congressman to get help and a better explanation (Tester, Rosendale and Daines)

Denise Roth –Barber asks about irrigation and the Golf Course. Ryan L. explains that the Golf Course plays a vital role in treating contaminated water that is from an old landfill near it. The Golf Course removes the water and puts it in settling pond with extra water then utilizes it for watering the course. It is tested and safe to do so.

HCC members are reminded of the water treatment video and are told the treatment plant is an interesting place to go visit.

### **HCC Officer Reports:**

Chair – Dylan Klapmeier – Dylan talk about the upcoming election and laws pertaining to our involvement. The City Attorney and the City Manager sent out a memo stating that because the HCC is part of the city it cannot participate in anything election related, so we cannot produce a candidate pamphlet even though we intended to make it totally non-partisan. Peggy Benkelman (as a city employee) especially cannot participate. If you have questions please refer to the State of MT. Commissioner of Political Practices <https://politicalpractices.mt.gov/> The County elections office will also refer you there. As an individual you can promote yourself but not represent the HCC.

Nancy Perry asks if she, as a private citizen, can talk to the IR about having a blurb in the newspaper regarding HCC candidates. Dylan Klapmeier says it is OK if she approaches as an individual, not an HCC member.

A reminder that the HCC has to give notice of a meeting 5 days ahead of time, and also provide information for the meeting 48 hours ahead of the meeting (the Composting Recommendation was sent to all of you on 7/26) Agenda is always posted on the opening page of our website <https://www.helenacitizenscouncil.com/home>

Vice Chair – Sumner Sharpe – nothing new to report

Treasurer – Nancy Perry- nothing new to report

Secretary – John Andrew – he has secured the Civic Center Ballroom for the HCC’s first meeting in January of 2022 –which will include newly elected members and a swearing in ceremony. HCTV may be there to film and monitor/zoom capabilities will also be present. Openings for members to attend Commission meetings – Ben Kuiper signs up for August 23<sup>rd</sup> meeting.

Coordinator Report – Peggy Benkelman – she reiterates that the HCC cannot be involved in the election process but as an individual candidate, yes, you can contact the elections office for information. Also, please consider signing up to attend Commission meetings.

### **Committee Updates:**

Outreach Committee- Diana Hammer – the committee is again meeting monthly after the budget recommendations were completed. They are focusing on ways to get information out to the public – working on building an email list, but hard to get people’s emails. Will have a large display at the Public Defender’s Window at 6<sup>th</sup> x Last Chance Gulch in both September and October.

HOLMAC – TJ Lehman – no update, not present

Civic Center Board – John Andrew – John A. says the City Commission has the Civic Center Board’s recommendation and the Commission has until August 30<sup>th</sup> to respond to these recommendations. We should see this discussion and the Commission vote on a September agenda.

Non-Motorized Travel – Tom Woodgerd – Tom W. is happy to see that the Committee has succeeded in getting project’s into the City budget. Wilbur Rehman – Committee Chair – wrote a letter to Commissioner Halladay saying thanks for helping support and fund sidewalks, Centennial Trail pedestrian crossing at MT. Avenue, Safe Routes to school as well as a crossing at Ewing St. Commissioner Emily Dean was also thanked for supporting these projects.

Transportation Coordinating Committee – Joe Lehman- The TCC is now meeting quarterly. Will have next meeting in September. Peggy Benkelman will resend projects list to all HCC members.

Helena Public Art Committee – Chelly Hasquet – via email - *Chalk Up Helena* was again cancelled this year. Dowling Architecture wants to design a Traffic Signal Box in front of their new building, HPAC is considering this. There are no new art projects being discussed currently. HPAC still needs new members. Consideration is still being given to restoring old Ghost Signs throughout the city.

Water Quality Protection District – Diana Hammer – Did not meet for tour because of smoke, so no updates.

Citizen Conservation Board – Denise Roth-Barber – Reminds HCC members of the WaterWise brochure (Peggy B. will send link to all members) and Denise thanks Diana Hammer and members of the Water Quality Protection District for putting it all together.

Other non-voting committee updates – there are none.

## **New Business – Composting Recommendation**

Composting Recommendation Discussion with Denise Roth- Barber presenting. Currently there are two companies providing composting services in Helena - [Better Roots Composting](#) and [406 Composting](#), but City Code stipulates that only the city can pick up waste. So the City of Helena basically has two options: change the city code or contract with one or both of the composting companies.

Denise R-B prefers the code change option. Permitting is troublesome for the city because they could allow a company or companies to provide services for a while, and then suddenly take the contract away.

Ben Kuiper thinks the recommendation reads well. His concern is about a code change – has the HCC heard from the City Attorney about any problems that may arise? Denise answers no, she hasn't heard of problems, but the recommendation has not yet been discussed at a Commission Meeting.

The L&C County has voiced a concern that the composting recommendation may be in violation of some local agreements, yet no one can seem to find these agreements!

Dylan Klapmeier agrees with the recommendation as written especially since there are already companies in place providing this service.

Margaret Strachan wonders if the city has set up an agreement with haulers? How do we know they won't just haul away the compost material and dump it inappropriately? Denise R-B doesn't know the answer to that question.

Dylan Klapmeier thinks that surely a contract with the city would include such details.

Denise R-B says that *406 Composting* takes their compost to Bozeman to YES. *Better Roots* takes theirs to their own landfill.

Colleen Murphy wants standards and criteria established. It is explained that the HCC is not now changing code – they do not have the power to do so – the HCC is only making a recommendation.

Denise R-B explains that companies already have to follow disposal and hauling laws.

Margaret Strachan would still like to see more detailed set of criteria e.g. size of truck, experience, smells etc.

Dylan Klapmeier mentions that these companies are not hauling hazardous materials.

Tom Woodgerd says that it is the responsibility of the city to follow-up with oversight. Should such wording be included in the recommendation?

Sumner Sharpe gives an example of potential issues: if the neighbors' waste starts to smell, Whom do I call at the City?

Pat Marron – City Sanitation may push back on this recommendation because it may place a bigger financial burden on them.

Denise R-B says the city has two distinct but related plans: 1. The City is creating a new Master Plan of all its waste operations including the Transfer Station. 2. The City wants to reduce the waste stream coming into the Transfer Station, but then that also reduces its income.

Margaret Strachan thinks a deposit on cans and bottles would help pay for future costs.

Susan Steffens makes a motion to accept the Composting Recommendation as is.

Dylan Klapmeier seconds the motion

Dylan K. calls for a vote: 18 in favor, none-opposed, 2 abstentions- Karen Wilson, Margaret Strachan.

The motion passes.

Denise R-B asks if we can change the voting procedure, either raise your hand option, reaction tab, or Peggy can quickly do a roll call vote.

Dylan K. asks that HCC members please send your ideas on speakers, topics and recommendations to either him or Peggy B.

**Meeting Adjourned at 8:50PM**

**Next meeting will be August 25<sup>th</sup>, 2021` through Zoom.**

Below is the Composting Recommendation as approved and as sent to the Mayor and Commission. It is also on the HCC Webpage.



**Helena Citizens' Council**  
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**Date:** 28 July 2021  
**To:** Helena City Commission  
**From:** Helena Citizens' Council (HCC)  
**Subject:** Composting Recommendation

The recommendation below was approved by the HCC on July 28, 2021 with 18 members voting to approve and 2 abstentions.

Dear Mayor and Members of the Commission,

The HCC would like to ask the Commission to amend City Code 6-1-17 to allow for private businesses to continue diverting valuable materials from the waste stream.

An exemption to the City Code could be as simple as this:

6-1-18: The exclusivity in City Code 6-1-17 does not apply to individuals, firms, or companies providing residential curbside collection of food scraps and yard debris for composting services.

The City currently does not offer **food** waste composting services in any form, nor does it offer yard waste curbside pickup (for composting). While the City does compost yard waste that has been dropped off at the Transfer Station, most of that material is used as an alternative cover at the landfill, rather than turned into a valuable, marketable product. Thus, the private companies are providing both a very valuable service to City residents not otherwise available AND helping the City move closer to its goal of 50% waste reduction by 2040.

A change to the code is the most timely, efficient response that would allow for the private businesses to be in compliance while providing valuable resource diversion services.

We appreciate your consideration.