

**TUESDAY, April 10, 2007**  
**9:30 A.M. COMMISSION MEETING**  
**COMMISSION CHAMBERS**

**PRESENT:** Chairman Lance Olson, Commissioners Peggy Beltrone, and Joe Briggs, Herb Sobeczek, Clayton M. Braden, Kim Skornagoski, Sam Schmidt, Greg Thayer, Gene Thayer, Steve Erwin, Susan Conell Theresa Diekhans, John Nerud, Milo Halverson, Rina Moore, Jess Anderson, Jackie O'Fallon and Rina Moore.

**CALL TO ORDER**

Chairman Olson called the meeting to order, the Pledge of Allegiance was recited.

**READING OF THE COMMISSIONERS CALENDAR**

Jackie O'Fallon read the weekly calendar.

**PURCHASE ORDERS AND ACCOUNTS PAYABLE WARRANTS**

Commissioner Briggs made a **MOTION** to approve the purchase orders and accounts payable warrants.

Purchase orders and accounts payable warrants #154801 through #155079 totaling \$638,478.86 dated 03-16-07 through 03-22-07, and #155080 through #155307 totaling \$609,828.18 dated 03-09-07 through 03-15-07.

**Motion carries 3-0**

**CONSENT AGENDA**

**MOTION** by Commissioner Briggs to approve the consent agenda; minutes, minute entries, and approval of routine contracts as follows:

- ◆Resolution 07-16 Budget Appropriation W/City County Health For HIV Prevention In The Amount Of \$27,343.
  - ◆Resolution 07-17 Budget Appropriation W/County Planning For A Community Transportation Enhancement Program In The Amount Of \$234,400. Expo Park Landscaping Project
  - ◆Resolution 07-18 Budget Modification W/Sheriff Department To Realign Budget Authority Within Public Safety Fund.
  - ◆Resolution 07-19 Budget Modification W/Sheriff Department To Realign Budget Authority Within Public Safety Fund.
  - ◆Bid Award To Junkermier, Clark, Campanella, And Stevens PC For Audit Services Per Year In The Amount Of \$40,000 For Fiscal Years 2006-2007, 2007-2008 And 2008-2009.
- SMG Petty Cash Request From \$3,000 To \$10,000 In The ATM Fund Because Current Amount Inadequate For Larger Events.
- ◆SMG Petty Cash Request From \$100 To \$140 For Administration Office And Night Watchman.
  - ◆SMG Petty Cash Request From \$1,300 To \$1,800 For Box Office Fund Because Current Amount Insufficient For Larger Events.
  - ◆SMG Cash On Hand Request From \$5,000 To \$7,000 Which Will Be Accounted For As A Cash On Hand Line Item For Concessions.

There was no discussion on the Consent Agenda Items.

**Motion carries 3-0**

**AGENDA ITEM NO. 1**

**MOTION TO APPROVE/DISAPPROVE RESOLUTION OF INTENT 07-20 TO 2690100, 2690000 AND 2690300 FROM "A-1" TO "I-1" LIGHT INDUSTRIAL**

Susan Conell Cascade County Planner 1 presented this rezoning with a full staff report. The applicant is Mr. Duane J. Vick Etal. This rezoning would allow a grain cleaning and processing facility with a potential buyer, Montana Milling Inc. that proposes to clean and process grain on the subject property.

Commissioner Beltrone made a **MOTION** to adopt the Staff Report and Findings of Fact and approve the Resolution of Intention 07-20 to rezone parcels #2690100, 2690000, and 2690900 in Section 20, Township 21 North, Range 4 East, Cascade County, Montana from "A-1" to "I-1" Light Industrial District.

Chairman Olson then opened the meeting up for comments from the

Commission – no comment

Elected Officials – no comment

Department Heads – no comment

Public-

Clay M. Braden approached the Commission and questioned if water/sewer is provided by the City of Great Falls, or if there was any future plans of annexation in to Great Falls. Commissioner Briggs responded by stating that the water /sewer is not provided by the City of Great Falls and the there is no plans for future annexation.

Herb Sobeczek commented on what a good project this because the County has neglected commercial development.

Chairman Olson interjected by stating that he would like to thank the other Commissioners for their cumulative effort in this project, in addition to the Planning Board and felt they were headed in the right direction. Commissioners Beltrone and Briggs agreed this was a good thing for Cascade County.

**Motion carried 3-0**

Commissioner Beltrone announced the Foster Grandparents Dinner this Sunday.

She also publicly announced their appreciation for all their work.

**AGENDA ITEM NO. 2**

**DEPARTMENT HEADS AND ELECTED OFFICIALS**

Jess Anderson informed all of the upcoming changes for the Motor Vehicle Department which includes a new website to view driving records, and car ownership. He also announced the upcoming option to register vehicles on- line. He stated that his office would be involved in training in the upcoming months.

**AGENDA ITEM NO. 3**

**PUBLIC PARTICIPATION IN DECISIONS OF BAORD AND ALLOWANCE OF PUBLIC COMMENT ON MATTERS THE COMMISSION HAS JURISDICTION**

Herb Sobeczek raised his concerns about sewer line from the Malt Plant, which he had raised earlier in the year. He stated he would inform the City to correct it.

Chairman Olson stated that they are aware of the problem and are trying to correct it.

Clayton M. Braden reminded the Commission of the Decay Ordinance they adopted on May 9, 2006, and stated a property out past United Ag. Products Co. by mile markers 8 and 9 has an abandon car and rundown house that has been that way for three or four years now.

He proceeded by stating with the County having about 500 employees he is unsure why they do not report the community decay. He suggested they have their eyes examined since they are supposed to report it as well as the general public.

He reported another area on 31<sup>st</sup> Street 4<sup>th</sup> Avenue NW at the NE corner intersection that has an old truck and high weeds that obstruct a speed limit sign. He also voiced his concerns regarding discrepancies in speed limit signage throughout the County. Mr. Braden ended with roadway hazards because of untrimmed trees.

Chairman Olson requested that Mr. Braden submit his concerns and reports of Community Decay in writing, and get to the point.

Mr. Braden asked the Commission to read the Community Decay Ordinance and see whether it is being enforced or not.

Chairman Olson interjected by stating that have received over 30 letters of concern and a County Employee that does inspect property and clean up is underway. Chairman Olson Advised Mr. Braden not to accuse the County Employees of not doing their jobs, and the Commission for not following through on the Ordinance. Chairman Olson also offered to provide Mr. Braden the documents of the work being done.

Milo Halverson approached the Commission concerning the Option Tax that was established in 1987 and attached to your vehicle license fees which was supposed to sunset in 1999. It also was raised from 2/10ths of a percent to 5/10ths to 7/10ths of a percent, and now is 5/10ths of a percent. Mr. Halverson stated that it had reached 2 million one year.

Jess Anderson Treasurer stated that it did reach that amount in 2004-2005 due to the increase of vehicle values, low interest rates, which caused and increase in business. Mr. Halverson stated his biggest objection is that the State is taking over what we are doing. He also provided information he compiled concerning this tax (which is an attachment to these minutes). Commissioner Briggs added to this discussion stating that had done some research on this subject and provided some key points (which is an attachment to these minutes). Commissioner Briggs stated that the tax was originally for the District Courts then over the course of time it was available to any County. Therefore the Cascade County Commission took it for general-purpose use.

It was then extended through 2005 in which it was supposed to terminate, and this is the point of confusion because the date they reference in the Resolution which was done on June 22, 1994 reference a termination date of June 30, 2005 however the Legislation repealed the temporary tax and replaced it with a permanent version. This new version of the tax has no sunset and also locked every county that had in at their current rate without a vote of the people. Any county that had the tax in 2001 as a temporary tax automatically became a permanent tax that required any change in the rate to go to a vote of the people. The counties now are required to redo the distribution each year according to the percentages of population between City, County and other Incorporated Municipalities.

Mr. Halverson had a few more questions and comments concerning the fees from this option tax.

Then thanked Jess Anderson and Commission for their help in this matter.

### **ADJOURNMENT**

**Meeting adjourned at 10:05 a.m.**

### **MINUTE ENTRY**

**FRIDAY APRIL 13, 2007**

**PRESENT:** Chairman Lance Olson, Commissioner Joe Briggs, Rina Ft Moore, Tom Yashenko, Sean Higginbotham, and Marie Sickels.

Chairman Olson opened the special meeting to announce Rina Ft Moore and her request for a computer upgrade.

Rina Ft Moore Clerk and Recorder requested the purchase of a computer upgrade for the Clerk and Recorders office due to the continuing problems with the previous computer system purchased six years ago. Ms. Moore presented a memo outlining the request for the upgrade which totals \$31, 542.40 plus shipping and a maximum fee of \$8,000.00 for installation of Eagle Software by Tyler Technologies.

Tom Yashenko stated his Computer Department saved the Clerk and Recorders office close to \$8,000.00 by ordering the computer upgrade equipment through their vendor instead of Tyler Technologies.

Commissioner Briggs questioned if the software upgrade is included in this purchase and if not will the computers ordered be compatible with the computer upgrade.

Ms Moore stated that this is not including the software upgrade that is scheduled in late summer. She also stated that they have contacted Tyler Technologies and they have sign off for approval for the new computer upgrade to be compatible to the upcoming software upgrade.

Chairman Olson questioned if the grant came through for the land data department if it could be applied to this cost. Ms. Moore stated yes it could be reimbursed.

There was further discussion on the age of the computers in the Clerk and Records Office.

Commission Briggs made a **MOTION** to approve the Memo for hardware in the amount of \$31,542.40 and additional \$8,000.00 for installation of software when the equipment arrives.

**Motion carries 2-0**

# Memo

**To:** Cascade County Computer Center  
**From:** Clerk and Recorders Office, Rina Ft Moore  
**Date:** 4/12/2007  
**Re:** Computer Upgrade request  
From the Clerk & Recorders Office

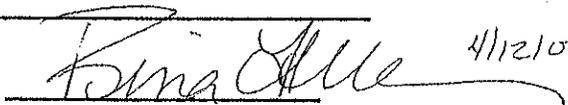
Please order us the following items for our department

- 13 workstations  $\$1106.04 \times 13 = \$14,378.52$
- (4) 19 inch Flat screen monitors  $\$250.00 \times 4 = \$1,000.00$
- 1 application server \$4,126.89
- 1 data base server \$6,638.99
- 3 laptop computers  $\$1,533.00 \times 3 = \$4,599.00$
- 1 hp laser printer replacement 8150 N Laser Jet \$799.00

PLUS SHIPPING THEREFORE THIS IS AN ESTIMATE

**TOTAL \$31,542.40**

Approved by Rina Ft Moore

 4/12/07

## Local Option Vehicle Tax

This law was originally established by the legislature in 1987 as a temporary tax to pay for the deficits in certain District courts. The maximum amount was .5%

It was extended in 1989 and again in 1991

In 1993, MCA 61-3-537(3) was altered to authorize all counties to enact by commission action a local option vehicle without a vote of the people to be used as the county saw fit.

On June 22<sup>nd</sup> of 1994 the Cascade County Commission passed resolution 94.53 establishing a .5% local vehicle option tax in Cascade County. This resolution was later replaced by resolution 96-80 which extended the tax at .5% until June 30, 2005.

In 1995 the legislature enacted a permanent version of the local vehicle option tax which was assessed, collected and distributed in the same manner as the temporary tax had been. This new permanent version would take effect on July 1, 2005 when the temporary version expired on June 30, 2005.

In 1999 the maximum was raised from .5% to .7%.

In 2001, the temporary tax which had been schedule to be in effect until June 30, 2005 was repealed and the permanent version put in its place immediately. This created a situation where all of the counties which had the temporary tax in place were converted to the permanent version with no action of the commissions being required. Additionally, the law was changed to require a vote of the people to alter the tax rate, rescind the tax or activate the tax in counties which did not have the temporary local option vehicle tax in place. In the case of Cascade County this meant the temporary tax of .5% was made permanent and only the use of the funds could be altered by the Commission without a vote of the people.

Current situation:

2004 taxes generated were \$1,681,841.13

2005 taxes generated were \$1,742,670.72

County received about 64% of the proceeds.

**COUNTY OPTION TAX JANUARY 2004 THRU DECEMBER 2005**

	2005	Cascade County Commissioners RECEIVED APR 09 2007	2004
JANUARY	\$284,579.33		\$259,453.24
FEBRUARY	\$182,992.71		\$175,198.99
MARCH	\$213,890.61		\$198,510.55
APRIL	\$211,816.19		\$207,555.69
MAY	\$225,934.81		\$212,207.55
JUNE	\$231,995.99		\$239,886.80
JULY	\$236,687.62		\$232,999.18
AUGUST	\$261,336.52		\$231,487.52
SEPTEMBER	\$224,800.10		\$211,306.13
OCTOBER	\$228,193.92		\$245,641.84
NOVEMBER	\$223,108.50		\$223,965.71
DECEMBER	\$207,604.63		\$199,331.82
<b>TOTAL</b>	<b>\$2,732,940.93</b>		<b>\$2,637,545.02</b>

**PERCENTAGE**

CASCADE CO.	63.7654%	\$1,742,670.72	\$1,681,841.13
GREAT FALLS	35.274%	\$964,017.58	\$930,367.63
BELT	0.394%	\$10,767.79	\$10,391.93
CASCADE	0.51%	\$13,938.00	\$13,451.48
NEIHART	0.0566%	\$1,546.84	\$1,492.85
		<b>\$2,732,940.93</b>	<b>\$2,637,545.02</b>

**COUNTY PORTION**

YEAR 98-99	\$953,554.85
YEAR 99-00	\$1,012,571.92
YEAR 00-01	\$1,101,230.27
YEAR 01-02	\$1,245,821.52
YEAR 02-03	\$1,419,016.10