

CASCADE COUNTY, MONTANA
COMMISSIONERS' JOURNAL #

Commission Meeting
May 8, 2007
9:30 a.m.

Commission Chambers

PRESENT, Chairman Lance Olson Commissioners Joe Briggs, and Peggy Beltrone excused. Rina Ft. Moore, David Castle, Brian Clifton, Milo Halverson, Herb Sobeczek, Clayton M. Braden, Theresa Diekhans, Karl Puckett, Jim Freeman, Jim Voegel, Brad Davey, Alan Frohberg, Joe N Murphy, Todd Martin, Nathan Hoines, Susan Conell, Jackie O'Fallon and Marie Sickels.

CALL TO ORDER

Chairman Olson called the meeting to order, the Pledge of Allegiance was recited, and the calendar read. It was announced that Commissioner Beltrone was in Alaska attending a NACo conference.

PURCHASE ORDERS AND ACCOUNTS PAYABLE WARRANTS

Commissioner Briggs made a **MOTION** to approve the purchase orders and account payable warrants #155677 through #155907 totaling \$455,931.08 dated April 13, 2007 through April 18, 2007. In addition, the purchase orders and payable warrants # 155908 through # 156156 totaling \$512,788.29 dated April 19, 2007 through April 26, 2007.

Motion passes 2-0

CONSENT AGENDA

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

- ◆Resolution 07-23 Budget Appropriation w/Sheriff Department w/Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) in the Amount of \$106,256.
- ◆Noxious Weed Trust Fund Project Grant Agreement Between Department Of Agriculture & Weed & Mosquito District w/Smith River Cooperative Weed Management Project Number MDA 2007-009 For Management Of Noxious Weeds In The Amount Of \$3,387.
- ◆Noxious Weed Trust Fund Project Grant Agreement Between Department of Agriculture & Weed & Mosquito District w/ Sun River Valley Ditch Company WMA Number MDA 2007-011 to Stop the Spread of Noxious Weeds in the Amount of \$2,000.
- ◆ Noxious Weed Trust Fund Project Grant Agreement Between Department of Agriculture & Weed & Mosquito District w/Fort Shaw Weed Management Area Number MDA 2007-012 For Control of Noxious Weeds in the Amount of \$11,489.
- ◆Noxious Weed Trust Fund Project Grant Agreement Between Department of Agriculture & Weed & Mosquito District w/Cascade County Purple Loosestrife Management Program Number MDS 2007-013 For Management of Purple Loosestrife for \$4,000.

Brian Clifton presented a correction for the previous work session minutes to clarify that Joe Murphy presented Foothills III not the Final Resolution for Montana Milling Zone Change.

Motion passes 2-0

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AGENDA ITEM #1

**MOTION TO APPROVE/DISAPPROVE PRELIMINARY PLAT OF THE SWEDEN DAL
PLANNED UNIT DEVELOPMENT**

Commissioner Briggs made a **MOTION** to conditionally approve the Preliminary plat of the Sweden Dal Unit Development located in Sections 1,2,11, and 12, Township 19 North, Range 2 East P.M.M., Cascade County, Montana, and the accompanying Staff Report and Finding of Facts subject to the applicant and sixteen conditions.

Brian Clifton Cascade County Planning Board gave a synopsis stating that B Lundholm Real Estate Inc plans to subdivide 7.06 acres into twenty-two single family residential tracts 100 feet x 120 and 20.24 acres to be shared by 148 town homes. Mr. Clifton stated that there were concerns in the past concerning

Brad Davey, the developer's coordinator announced that they had made a full agreement with the homeowners of the surrounding development.

Commissioner Briggs added that this was a good project and that the developer had showed a good willingness to make things work. Chairman Olson echoed this opinion.

Motion carries 2-0

AGENDA ITEM #2.

**MOTION TO APPROVE/ DISAPPROVE PRELIMINARY PLAT APPROVAL OF THE
FOOTHILLS RANCH III SUBDIVISION**

Commissioner Briggs made a **MOTION** to conditionally approve the preliminary Plat of Foothills Ranch III located in the Sections 13, and 24, Township 20 North, Range 4 East, P.M.M. Cascade County, Montana, and the accompanying Finding of Facts, subject to the applicant and the sixteen conditions.

Brian Clifton Cascade County Planning Board introduced this item.

Clay Braden questioned the addresses on such subdivisions. He was not sure where it was located and asked that this information be added to information packet.

Brian Clifton stated that 911 does not address new lots until the subdivision becomes final and the plat is filed.

Commissioner Briggs asked that this information be included in future subdivision packets.

Commissioner Olson inquired about the storm water run-off and who was ultimately responsible for a failed drainfield.

Brian Clifton assured him that the proper paperwork had been filed with the DEQ and that the homeowner was ultimately responsible for the replacement of a failed drainfield. Brian further explained that DEQ 8 states that the new subdivision must not allow any more storm water to runoff post development and that the developer had gone above and beyond what was required to accomplish this.

Chairman Olson stated that he still had concerns about the wells and the septic systems but that it was a great project and needed to move ahead. **Motion carries 2-0**

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AGENDA ITEM NO # 3

MOTION TO APPROVE/DISAPPROVE FINAL RESOLUTION 07-24 TO REZONE PARCELS #2690100, 2690000, and 2690300

Commissioner Briggs made a **MOTION** to approve the Final Resolution to rezone parcels #2690100, 2690000, and 2690300 in Section 20, Township 21 North, Range 4 East, Cascade County, Montana from "A-1" Agricultural District to "I-1" Light Industrial District.

Susan Connell gave the synopsis.

Herb Sobeczek stated that when the NW energy site was re-zoned from AG to light industrial that the developer said he would put the unused property back to AG use. Now there is a weed problem. Herb stated that he was concerned about the weed situation. He also expressed some concern about the dust situation.

Susan stated that this was just a re-zoning issue today and that these issues should be addressed later in the process.

Jim Vogeles of the James Company Realty stated that Mr. Vick, the owner, would continue to farm the additional land and that should solve any weed problem.

Chairman Olson complimented Commissioner Briggs for his help with this industrial project.

Commissioner Briggs stated that this would bring jobs to Cascade County and that made the project worth it.
Motion carries 2-0

AGENDA ITEM NO # 4

NEWS RELEASE OF INTENT TO PURCHASE TRIBUNE/EXECUTIVE PLAZA BUILDING LOCATED AT 121 4TH STREET NORTH, GREAT FALLS MONTANA

Chairman Olson announced the upcoming purchase of a portion of the second floor for occupancy of the County Attorneys offices.

Randy Hand began this project and stated that the re-organization was beneficial to the county as well as to the department heads. He also stated that this would take care of the security issues at the courthouse. Negotiations next week with a possible closing on June.

Chairman Olson wanted to make sure that the public had time to comment.

Commissioner Briggs stated that Rina Ft Moore and Jess Anderson would be able to cross-train their personnel. Super tellers will benefit the public. We are not expanding government we are cross-training for efficiency and consolidation.

Rina Ft Moore stated that she was looking forward to having the majority of her employees in the same office.

Sheriff Dave Castle said that it would make security with the courthouse easier.
Theresa Diekhans stated that she and Brandt Light fully support the move.

AGENDA ITEM NO # 5

PUBLIC COMMENTS

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Herb Sobeczek complimented Brian Clifton for his work with the EPA on the rail bed drainage issue. He stated that we really need to pay attention to these drainage problems.

Jim Vogele had questions about the use of TIF and wanted to know if we had a policy to guide us. He wanted to know if there was the possibility of expanding the district to include others.

Brian Clifton told him that the property had to be light industrial and that TIF's cannot cross boundaries.

Theresa Diekhans added that the City of Great Falls has a lot more leeway than does the county concerning these districts, according to state law.

Commissioner Briggs said that the TIF is for infrastructure costs and to offset those costs. This is a way to pay without hitting the taxpayers. Montana Milling will notify surrounding landowners of the rezone to light industrial.

Clay Braden commented about the community decay ordinance. He let the commission know that there was a junk truck at the corner of 31st Street and 4th Ave NE.

Chairman Olson requested that Clayton M. Braden place all of his complaints in writing and submit them formally.

Clayton M. Braden stated that under the constitution, the government was to uphold the law and that leaving agricultural equipment exempt from the decay ordinance was not equal protection. Clay also brought up the human decay issue again. He told the commission that his neighbor had an old helicopter in the yard.

Sheriff Castle elaborated on the work program that they have put into place. He explained the prisoners have to pay to be part of the program. There is no burden to the taxpayers. They have received help from Poulsens, Home Depot and are possibly looking into grants.

Milo Halverson stated that he was part of the Sheriffs Citizens Community. He asked the sheriff to state some personnel numbers from 1984.

Sheriff Castle said that in 1984 there were 40 officers which answered 4000 calls, and currently there are 33 officers which have been called out 10,000 times. The sheriff made this report to present the data at the upcoming budget hearings.

Chairman Olson announced that the Dept of Commerce would hold a workshop in Great Falls. He believes that as many as 2000 citizens were missed in the last census.

Theresa Diekhans added that the decay ordinance dealing with the exemption of agricultural was a legislative issue. We do not have the authority to change that.

Milo Halverson had 3 issues.

1. MACO's reference for voters to vote on the option tax.
2. 6 Counties do not participate in the option tax.
3. The option tax is only 3% in one county. He questioned the double tax on vehicles.

Commissioner Briggs stated that any changes have to be voted on... This issue had been addressed by the legislature. **ADJOURNMENT** Meeting adjourned 10:34 am.

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WORKSESSION
MAY 2, 2007
2:00 P.M.
COMMISSION CHAMBERS

PRESENT: Chairman Lance Olson, Commissioner Joe Briggs, and Commissioner Peggy Beltrone excused. Clayton M. Braden, Doug Johnson, Joe Murphy, Dave Sutton, Theresa Diekhans, Brad Davey, Randy Hand, Brian Clifton, Rina Ft Moore, Jackie O'Fallon, and Marie Sickels.

Chairman Olson began with the Consent Agenda items for Noxious Weed Trust Fund Project Grant Agreements with Department of Agriculture and Weed & Mosquito District

- Smith River Cooperative Weed Management Project #MDA 2007-09
- Sun River Valley Ditch Company Water Management Association #MDA 2007-11
- Fort Shaw Weed Management Area #MDA 2007-12
- County Purple Loosestrife Management Program #MDA 2007-13

Doug Johnson presented these items stating that they are all grants awarded and by law need to go through his department.

COUNTY PLANNING AGENDA ITEMS

Brian Clifton presented three items

1. The Final Resolution for Montana Milling Zone Change- Joe Murphy informed the Commission of some concerns regarding fire water supply and storm drainage
2. Sweden Dal Plan Unit Development- Preliminary Plat Approval
3. Foothills Ranch Phase III Preliminary Plat Approval

AGENDA

Randy Hand announced the possible purchase of the Smith, Walsh office located on the second floor of the Tribune Plaza Building. He stated that an offer has been accepted which is below appraisal value.

Chairman Olson stated this purchase would be finalized in the upcoming Commission meetings to allow time public input. All agreed that this is a joint effort from all departments and this purchase will benefit the County.

CONSENT AGENDA

Resolution 07-23 Budget Appropriation with Sheriff Department and Rocky Mountain HIDTA Grant

ADJOURNMENT

Work session was adjourned at 2:28 p.m.

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