

CASCADE COUNTY, MONTANA
COMMISSIONERS' JOURNAL #

Commission Meeting
May 22, 2007
9:30 a.m.
Commission Chambers

PRESENT, Chairman Lance Olson Commissioners Peggy Beltrone and Joe Briggs, Rina Ft. Moore, Jess Anderson, Brian Clifton, Milo Halverson, Herb Sobeczek, Clayton M. Braden, Theresa Diekhans, Steve Erwin, Dave Sutton, Duane Urquhart, Mary Urquhart, Ned Jarsezeski, Luella Vogel, Charles Bocock, Brad Clark, Jaybe Floyd, James H. Dawson, Susan Conell, Jill Lorang, 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.

PROCLAMATIONS

Get Fit Great Falls Day Proclamation June 2, 2007 was read by Commissioner Beltrone.

PURCHASE ORDERS AND ACCOUNTS PAYABLE WARRANTS

Commissioner Briggs made a **MOTION** to approve the purchase orders and account payable warrants #156229 through #156472 totaling \$312,381.32 dated May 03, 2007 through May 10, 2007 and #156157 through #156228 totaling \$61,177.47 dated April 27, 2007 through May 2, 2007 In addition, payable warrants # 51629 through # 15806 totaling \$119,342.86 and direct deposit totaling \$664,482.78 for the month of April.

Motion passes 3-0

CONSENT AGENDA

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

- Resolution 07-25 Budget Modification with Personnel Services for professional services in the amount of \$500
- Resolution 07-26 Budget Modification with Building Maintenance for purchase of a new truck in the amount of \$10,000
- Resolution 07-27 Budget Modification with Treasurer Department for purchase of computers in the amount of \$7,500
- Resolution 07-28 altering June 12, 2007 scheduled County Commission Meeting to June 11, 2007 @7:00 p.m.
- Canceling of outstanding warrants that are one year old or older in the amount of \$4,251.27
- Montana Public Employees Association Three Year Contract with first year increase of 3.4% with market modification for licensed practical nurses, and a 3% increase for the second and third year adjustments
- Board of Crime Control Grant 06-00d1-90118, Project Safe Neighborhood with County Attorney in the amount of \$65,000
- DPHHS 07-07-3-01-002-0 Contract Amendment with Health for Breast and Cervical in the amount of \$4,870
- DPHHS 06-07-4-51-102-0 Contract Amendment with Health for HIV case management and support services in the amount of \$2,400
- DPHHS 07-07-4-51-102-0 extension of Master Contract with Health for HIV case management and support services through June 30, 2012 in the amount of \$13,500
- DPHHS 04-22A-A008 Contract Modification with Area III Agency on Aging for 2007 Budget in the amount of \$600,640

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- Contact with Great Falls Public Library and City-County Health meeting space
- SMG cash on hand for concessions to be treated as a petty cash refund and remain secured on site
- Sand Coulee Rural Fire Service Area board appointment of Larry Butler with his term expiring May 31, 2010 and Donna Hill with her term expiring May 31, 2009
- Stockett Rural Fire Service Area board appointment of Andra Anderson with her term expiring May 31, 2009 and David Marko and Beverly J Pepos with terms expiring May 31, 2010
- Ulm Rural Fire Service Area board appointment of Dale Gilbert with his term expiring on May 31, 2010
- Dearborn Rural Fire Service Area board appointment of Robert S. Johnson and Judy Paton with their terms expiring May 31, 2010

Chairman Olson highlighted the revision of the Commission meeting on June 11, 2007 @7:00 p.m. due to the availability of the Commission.

Motion carries 3-0

AGENDA ITEM #1

MOTION TO APPROVE/DISAPPROVE SKYLER RANCH MINOR SUBDIVISION

Commissioner Beltrone made a **MOTION** to conditionally approve the Minor Subdivision Plat. This proposed subdivision is located in the West ½ of Section 22, Township 19 N, and Range 3 East P.M.M., Cascade County, Montana, and the accompanying Staff Report and Finding of Facts subject to the applicant and eight conditions. Phillip and Shelby Vercio Property Owners/Developer

Brian Clifton Cascade County Planning Director gave a synopsis of this item.

Motion carries 3-0

AGENDA ITEM #2.

MOTION TO APPROVE/ DISAPPROVE INTERLOCAL AGREEMENT BETWEEN CASCADE COUNTY AND SUN PRAIRIE VILLAGE COUNTY WATER AND SEWER DISTRICT

Commissioner Briggs made a **MOTION** to approve the Interlocal Agreement between Cascade County and Sun Prairie County Water and Sewer District with respect to the design, construction, operation, and maintenance of water and sanitary sewer service to the Cascade County Shop Complex.

Brian Clifton Cascade County Planning Board introduced this item.

Chairman Olson confirmed that the County would be responsible for the construction and then it would be turned over to the Sun Prairie Water/Sewer for maintenance then anyone hooking up to our line would pay the County a fee. Chairman Olson and Commissioner Briggs thanked Mr. Clifton for his hard work on this project.

Clay Braden made some comments on the amount of money the owner would charge for the additional lots.

Motion carries 3-0

AGENDA ITEM NO # 3

PUBLIC HEARING WITH A MOTION TO APPROVE/DISAPPROVE RESOLUTION 07-29 TO DISCONTINUE IN ENTIRETY NAUCK STREET IN THE COMMUNITY OF SIMMS

Chairman Olson opened the Public Hearing at 9:48 a.m.

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Brian Clifton stated that Simms School District owns this property and through the application for a permit to construct a well house/maintenance building they discovered this was an undeveloped street. Therefore they needed to discontinue this street.

Chairman Olson called for Opponents three times;
Chairman Olson called for Proponents three times;
Chairman Olson closed the Public Hearing at 9:50 a.m.

Commissioner Beltrone made a **MOTION** to discontinue the entirety of Nauck Street in the unincorporated Community of Simms, Cascade County, Montana. Subject to the three conditions.

Motion carries 3-0

AGENDA ITEM NO # 4

MOTION TO APPROVE/DISAPPROVE CONSOLIDATION OF ALL POLLING PLACES WITHIN CITY LIMITS, INCLUDING GORE HILL TO THE EXHIBITION HALL

Commissioner Briggs made a **MOTION** to approve moving all polling places within the city limits of Great Falls and also to include the Gore Hill Fire Station to Exhibition Hall at the Montana Expo Park, Great Falls, Montana.

Rina Fontana Moore gave a synopsis stating that they need to consolidate due to the late registration requirements; she also encouraged everyone to attend the open house beginning at 1:00 p.m. today and continuing Wednesday and Thursday at the Exhibition Hall.

Chairman Olson opened the meeting for public comment;

Herb Sobeczek stated this bothers him and that he has concerns about the costs involved, and transportation to the polling place.

Clayton M. Braden stated he was opposed due to the raising price of fuel and inability for the voters to make it to the Fairgrounds, and security issues concerning voter information.

Commissioner Briggs **TABLED** the motion to approve/disapprove consolidation of all polling places within city limits of Great Falls and also to include the Gore Hill Fire Station to Exhibition Hall at the Montana Expo Park, Great Falls, Montana.

Chairman Olson announced the open house and requested public comment either written or verbal, and stated they would revisit this item at the next Commission meeting which will be held at 10:30 a.m. next Tuesday.

AGENDA ITEM NO # 5

MOTION TO APPROVE/DISAPPROVE REPEALING RESOLUTION 06-86R AMENDING CASCADE COUNTY ZONING MAP

Commissioner Beltrone made a **MOTION** to adopt Resolution 06-86R repealing Resolution 06-86 amending Cascade County Zoning District map.

Theresa Diekhans Deputy County Attorney clarified the number of the resolution, and gave the background of this zoning resolution repeal.

She stated due to procedural defects and an upcoming lawsuit she recommended the repeal of this resolution. This rezoning is to rezone land from Agricultural to Heavy Industrial.

Chairman Olson opened the meeting to public comment which included;

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Mr. Braden approached the Commission stating a \$7, 000 savings in Elections, also the error in the resolution and if the employee responsible for the error was going to do their job now, and are they going to correct it without being paid for it.

Chairman Olson stated that one little step was missed and it has been corrected.

Ms. Diekhans assured Mr. Braden that this is being corrected and she is on salary.

Commissioner Briggs stated that our staff has done a fine job of upholding zoning standards.

Rina Ft Moore notified Mr. Braden that the \$7, 000 in savings is the minimal amount and has nothing to do with this zoning issue.

Motion carries 3-0

AGENDA ITEM NO # 6

MOTION TO APPROVE/DISAPPROVE THE PURCHASE OF UNITS 2A, 2B, 2C, 2E, AND 2G, ON THE SECOND FLOOR OF TRIBUNE PLAZA BUILDING

Commissioner Briggs made a **MOTION** to purchase Units 2A, 2B, 2C, 2E, and 2G of the Tribune Plaza for the sum of \$560, 000 and enter into a six-month prepaid lease with the current owners for the sum of \$45,000 commencing on June 1, 2007.

Randy Hand Finance Officer stated that the purchase price of the units is \$560,000 plus ½ of closing costs with the current owner entering into a six month prepaid lease for \$45,000 therefore the net cost to the County is \$515,000. He also thought this was a good move for the County offices.

Commissioner Briggs stated the cost to the County and pointed out the lease could end sooner if the current owner was to leave early.

There was further discussion on how efficient this consolidation of County offices would be over time.

Chairman Olson opened the meeting to the public;

Herb Sobeczek began with stating here we go again, and continued to share his concerns about the moves costing more money, a master plan not being posted, and fewer employees but more workspace being used. He stated he was really concerned about how his tax dollars are being used.

Chairman Olson stated that there are future plans to run the County more efficiently.

Jess Anderson Treasurer gave a summary of how his office has been more efficient and will continue to strive to do that, and he feels this move will allow him to do this.

Commissioner Briggs gave a summary of all the upcoming changes and how it will allow County offices to run more efficiently.

Mr. Sobeczek mentioned his concerns about parking and he requested to see the master plan.

More discussion followed.

Milo Halverson questioned if the option tax would be justified to continue on because we are going to finance the Judicial System. Chairman Olson stated the tax has nothing to do with this purchase.

Motion carries 3-0

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Brad Clark presented the Commission with the 2007 Historical Preservation Award for the restoration of Lady Justice.

PUBLIC COMMENT

Jill Lorang, Administrator for Cascade County Conservation District stated they oppose the Foothills Development LLC, Phase III. (See attached documentation presented) she highly encourages the Commission not to support this as well. On a second note she mentioned that concerning Whitmore Ravine A technical advisory team has been form by Malstrom Air force Base in which a meeting will be held this Thursday although the property owners were not notified. Ms. Lorang stated she has written a letter concerning this. In closing she stated that West Eden Road is in bad condition.

Commissioner Briggs questioned that status of Foothills. Brian Clifton stated it received preliminary plat approval on May 15, 2007 and full DEQ approval as well.

Commissioner Beltrone questioned the letter Ms. Lorang wrote to DEQ. She clarified it was written to them letting them know that Neil Consultants did not carbon copy a letter that they wrote to the Commission.

Mr. Braden announced his recent 83rd birthday and thanked the Commission and the Governmental employees for allowing him time to speak and listening. He is also pleased with the public participation.

Mr. Sobczek raised his concerns about Smelter Ave. and 11th Street weed control.

Jim Dawson Belt Conservation District approached the Commission to echo the concerns of Ms. Lorang And mentioned that the SE corner is under water and he is unsure if DEQ even came to look at it. He also mentioned the high costs it would be to the owner.

There was further discussion, with Mr. Clifton reminded the Commission that this matter is not in their jurisdiction. They both agreed they have concerns but are unable to do anything.

Mr. Halverson approached the Commission to thank them for putting up with him and his option tax questions. He also asked Mr. Anderson Treasurer if there are any changes coming up.

ADJOURNMENT

Meeting adjourned 10:40 am.

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Special Commission Meeting
May 29, 2007
10:30 a.m.
Commission Chambers

PRESENT Chairman Olson, Commissioners Peggy Beltrone and Joe Briggs. Phyllis Gerrett, Sharon Tenney-Mayberry, Charles Bocoock, John Scott, Ryan Smith, Herb Sobeczek, Clayton M. Braden, Glenda K. Alexander, Janette Fulbright, Kerry Callahan Bronson, Richard Ecke, Jo Hall Salina, Bill Salina, Nancy Anderson, Jims Sims, Robert Sims, George A. Edelberg, Colette Gray, Betty J. Ford, Carl J. Donovan, Timothy J. McKittrick, Frank Mason, Gloria Smith, Ben Graybill, Brian Clifton, Rina Ft Moore, Deb Mart, Marie Sickels, Jackie O'Fallon, and media.

CALL TO ORDER

Chairman Olson called the meeting to order. The reading of the calendar was waived.

AGENDA ITEM #1

**COMMUNITY TRANSPORTATION ENHANCEMENT PROGRAM (CTEP) EXPOPARK
LANDSCAPING BID AWARD**

Commissioner Beltrone made a **MOTION** to award a construction contract to Boland Well Systems in the amount of \$ 191,731.00 for the Base Bid items for the construction of the Expo Park Landscaping project, and approve Alternate Bid Item #2 for \$6,250.00 for a Concrete Barrier Wall, Alternate Bid Item #3 for \$6,512.00 for Asphalt Overlay, and Alternate Bid Item #4 for \$35,800.00 for Period Lighting, for total construction contact approval of \$240,293.00 and approve 5% construction contingency for unforeseen construction costs which may occur, contingent upon approval by the Montana Department of Transportation, and authorize the Commission Chairman to execute the necessary documents.

Brian K. Clifton Planning Director gave a synopsis of this Expo Park Landscaping Project. There was some discussion on the lighting, and the increased cost since 2003.

Motion carries 3-0

AGENDA ITEM #2

**MOTION TO APPROVE/DISAPPROVE CONSOLIDATION OF ALL POLLING DISTRICTS
WITHIN CITY LIMITS INCLUDING GORE HILL**

Commissioner Briggs made a **MOTION** to approve Resolution 07-30 which moves all polling places within the city limits of Great Falls and also to include the Gore Hill Fire Station to Exhibition Hall at the Montana Expo Park, Great Falls, Montana

Rina Ft. Moore and Deb Mart presented this consolidation by stating that they were proposing moving all polling places to include Gore Hill Fire Station to Exhibition Hall at the Montana Expo Park. It was stated that the ten countywide polling places would remain intact. They stated that

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they had an open house where 50-60 people attended. With the exception of two, people were pleased upon seeing what was going on. Rina passed some pictures around to show those who did not attend the open house what the set-up looked like. They informed the board that there would be a \$7,000.00 minimum savings per election.

Deb stated that the current leases that we have on the polling places that we use is only a year to year lease.

Commissioner Beltrone questioned whether we had had any feedback from the City Officials or the School District.

Deb Mart told her that we had heard nothing from either one of them. She did say that the City of Great Falls was going to run a mail ballot for the primary but would run a regular poll election in November.

Deb Mart also mentioned her concerns about having polling places in the schools due to the recent bomb threats and lock downs stating that the Governor is the only one that has the authority to close down polling place.

Chairman Olson opened the meeting for public comment;

Clayton M. Braden voiced his concerns about the price of gas and questioned if he and others would get reimbursed due to them having to drive further.

Phyllis Gerrett whom is an election judge felt this is a good idea for the handicapped. She felt we should give it a try and for the others they can absentee vote.

Jo Ann Hall Salina felt that democracy depended on a well informed an accurate electorate and this proposal seems to remove people from the process by eliminating neighborhood voting. She stated that this is ill, penny wise and pound foolish and would cost the electorate.

Nancy Anderson Chairwoman for the Democratic Party began by thanking Elections/Clerk and Records for the open house which was a wealth of information. She believed after speaking with others that this would limit the voter's ability to get to the polls, and requested that other options be considered.

Sharon Maberry stated she was previously Sharon Tenney Elections Supervisor came in support for the one polling place stating it is the right move due to a variety of reasons.

Jim Simms Election Judge stated he is for the move and believes it would support the judge. He has tried to call the Election office on Election Day and knows that it is often hard to get assistance. He also mentioned that security in the schools is another issue, and he felt that it is a good idea and he is 100% for it

Kerry Callahan Bronson stated that her mother in law has voted at 5 different sites and she thinks that it would be great.

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Colette Gray approached the Commission in opposition. She stated she is a Community Advocate for Opportunities Inc. She felt there were too many challenges involving long lines, and transportation.

George Edelberg stated he is in favor, and with absentee voting today that anyone can vote. He felt if people were responsible and wanted to vote they would find a way.

John Watts stated he felt it was a good idea, and if people want to vote they will find a way.

Herb Sobeczek complimented the set up at the open house but felt some voters would not drive through the traffic, and got feedback from others that this was not thought through well enough he also had concerns about transportation, in closing he stated he was not for or against this.

Charles Bocoock questioned if a four year average has been done, and what percentage would it need to drop before changing, because things are not working.

Carl Donovan thanked Rina and Debbie for the open house then stated he believes this would disenfranchising the neighborhood polling places and he proposed having 4 different polling places without diluting the neighborhoods.

Janet Fullbright stated she is a roaming election judge and has seen some problems in the polling places. She encouraged the Commission to give this a try.

Ben Graybill a lifelong resident of Great Falls felt that the issue is accessibility. He mentioned providing a variety of polling places instead of a single polling place. He felt that the Government has obligations to provide more than one polling place.

Betty Ford stated she is for one polling place, and feel it will be a good meeting place for all.

Tim Mckittrick stated he is opposed to the consolidation. He doesn't believe that this will save money and felt it is undemocratic to padlock the polling places. He stated it will take him 45 minutes round trip to vote at one polling place. He requested the Commission to vote against the consolidation.

Commissioner Beltrone stated she was uncomfortable with staying the same and making a change.

There was discussion concerning the rise in absentee voting.

Rina Ft Moore also reminded the Commission of the other issues; huge rise in absentee voting which will only increase, late registration, larger counting boards, unanswered phone calls, staff unable to assist the judges. She continued to state how important it is for our staff to meet the needs of the voters, and they would be able to do it face to face. This would allow them to have some control of a chaotic situation.

Deb Mart said that we had explored the possibility of four polling places the last time that this issue came up, and that there were not four places available that would meet the HAVA needs. She

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stated that we are dealing with approximately 11,000 voters and a lot of them are voting in the schools. Deb also stated that the consolidation would not save our office any workload and would in fact increase the work within the department.

Deb told the commission that the Secretary of State is investigating voter fraud and that she could not guarantee that everything was kosher in Cascade County. She explained that the judges are trained briefly every two years. She said that if the judges had questions and tried to call, that it was most likely that they did not get through on election day because of the many many calls that came into the office. She said that she had concerns about the integrity of the election process.

Commissioner Briggs thanked Deb for her work. He reminded the audience that this issue had been visited over a year ago and that we will have to address this issue sooner or later. Eventually we will have to get out of the schools and churches. He said that he saw no way around this issue and that he was in support.

Peggy Beltrone stated that she was disappointed. She questioned whether we could get the schools to use PIR days for election purposes. She stated that she didn't believe that we were at the level for absentee and was concerned that it would be a disaster. She questioned whether we could consolidate to one and then try to find four places for the presidential primary.

Rina Moore told her that she was not going to experiment in that way with the presidential primary. She stated that with a 50-60 person count board, late registration, actual voting and the counting of all the ballots going on at the same time, that the process was huge and to manage it, it needed to be in one place. She reminded the commission that the elections office had dumped 167 phone calls during the last election, because they simply could not get to them and that is not any way to serve the voting public.

Theresa Diekhans said that she would like to see a 100% turnout. She said that the need is here for one polling place and that should have been obvious last November. She said that election integrity is a fundamental part of the election process. Theresa told of displaced voters, long lines etc... Theresa also reminded people that voting was not in the neighborhoods anymore. It is the duty of the election staff to insure no fraudulent activities take place. This issue has been going on for over a year and from a legal standpoint she believes this is the time and the place.

Chairman Olson stated that democracy gives people the opportunity to vote. We are facing changes in voting requirements and that this plan was not hatched here as Butte/Silverbow already does this. Lance said that he feels forced to make this decision but does believe the time has come. Commissioner Olson stated concerns over rising costs, staffing, no additional funding, late registration, HAVA Act, permanent absentee etc. .. He said that he is tired of the mandates and the promise of monies from the state that never show up.

Upon voting Commissioner Beltrone voted against.
Motion Passes 2-1

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