

**CASCADE COUNTY COMMISSION MEETING
JANUARY 31, 2008
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 a.m.**

PRESENT: Chairman Lance Olson, Commissioners Peggy Beltrone and Joe Briggs, Brian Clifton, Jackie O'Fallon, and Marie Sickels, Rina Fontana Moore, Brian Hopkins, Duane L. Urquhart, Mary E. Urquhart, Ken Robison, Kevin Cavanaugh, Tim Gregori, Jeff Chaffee, Cheryl Reichert, Linda Say, Sandy Jo Mares, Kathleen Z. Gessaman, Gary Zadick, Aart Dolman, Roger Norgaard, Earl Salley, Earlyne Lassila, Robert Lassila, Helen Coleman, Trista Lassila, Linda Lassila, Butch Hankins, Ken Morrow, Neil Taylor, Charles Boccock, JC Kantorowicz, Daryl Lassila, David Dover and Jaybe Floyd.

CALL TO ORDER: Chairman Lance Olson called the meeting to order.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

AGENDA ITEM #1

MOTION TO APPROVE/DIAPPROVE RESOLUTION OF INTENT 08-05 TO AMEND COUNTY ZONING DISTRICT MAP TO REZONE PARCELS 5364100, 5364200, 5364300 & 5365200 FROM "A-2" TO "I-2" HEAVY INDUSTRIAL.

Commissioner Joe Briggs made a **MOTION** to approve Resolution of Intent 08-05 to Amend County Zoning District Map to Rezone Parcels 5364100, 5364200, 5364300 in Section 24, and Parcel 5365200 in Section 25, all located in Township 21 N., Range 5 E, from "A-2" to "I-2" Heavy Industrial, subject to 11 conditions offered by Tim Gregori of Southern Montana Electric, representing the applicants, dated January 9, 2008 and is attached as Exhibit 1.

Chairman Lance Olson asked if any of the commissioners wanted to comment on the issue at hand.

Commissioner Joe Briggs read a prepared statement and is attached as Exhibit 2.

Commissioner Peggy Beltrone stated that she had reviewed and appreciates the testimony from both sides. She, on the other hand, believes that this is spot zoning and she disagrees with the staff report. She said that this does not fit within the bounds of the criteria and believes this to be spot zoning and said that she will vote against the re-zoning.

Chairman Lance Olson wanted to be clear about the fact that he had reviewed all of the information that had been submitted. He said that he had considered the impact on the tax base and the impact on the whole area. He said that he had reviewed and accepted the planning boards recommendation for approval. He stated that he can and will vote for the re-zoning. Chairman Lance Olson also read from a prepared statement and that is attached as Exhibit 3.

Commissioner Joe Briggs thanked the planning staff and the legal staff and told them they had done an outstanding job.

Chairman Lance Olson asked for a vote.

Motion carries 2-1.

Commissioner Peggy Beltrone voted against approval.

AGENDA ITEM #2

MOTION TO APPROVE/DISAPPROVE RESOLUTION 08-10 ALTERING COMMISSION MEETING FROM FEBRUARY 12TH TO FEBRUARY 15TH, 2008 TO ALLOW THE COMMISSION TO ATTEND MONTANA ASSOCIATION OF COUNTIES MID WINTER MEETING IN BILLINGS, MONTANA.

Commissioner Peggy Beltrone made a **MOTION** to approve Resolution 08-10 altering the commission meeting from February 12th to February 15th, 2008 to allow the Commission to attend the Montana Association of Counties Mid-Winter meeting in Billings, Montana.

Chairman Lance Olson called for a vote.

Motion carries 3-0.

AGENDA ITEM #3

MOTION TO APPROVE/DISAPPROVE UNION CONTRACT BETWEEN CASCADE COUNTY & CASCADE COUNTY DEPUTY COUNTY ATTORNEY AND PARALEGALS.

Commissioner Joe Briggs made a **MOTION** to approve the union contract between Cascade County and the Cascade County Deputy County Attorneys and Paralegals.

Human Resource Director, Tony Morrison stated that they had done surveys across the State of Montana. The survey showed that the county attorneys were behind in their wages by 6 to 13%. This will bring their wages up to fair market value.

Chairman Lance Olson thanked Tonys' staff.

Deputy County Attorney, Steve Bolstad a representative of the **MEA-MFT** thanked the Commission on behalf of the County Attorneys' Association. He stated that they are very happy and that they wish to mend broken fences.

Chairman Lance Olson said that he appreciated the civil staff and appreciated the candor on both sides.

Commissioner Joe Briggs stated that the negotiations were tough but respectful. Commissioner Briggs also stated that there were no fences to mend as far as he was concerned.

Chairman Lance Olson called for a vote.
Motion carries 3-0.

AGENDA ITEM #4

MOTION TO APPROVE/DISAPPROVE DEPARTMENT OF CORRECTIONS CONTRACT #04-053-IR AMENDMENT TWO, SECTION FIVE, BILLING PAYMENT COMPENSATION.

Commissioner Peggy Beltrone made a **MOTION** to approve the Department of Corrections Contract #04-053-IR Amendment Two, Section Five, Billing Payment Compensation.

Randy Hand-Finance Director, stated that the process to come up with a per diem worksheet had been long and drawn out. This process does well on recovering cost and will also cover depreciation. This will also recover interest costs. He said that they are already working on next years per diem rate.

Commissioner Joe Briggs thanked Randy for plowing through this issue.

Chairman Lance Olson agreed with the numbers that came up during this reporting period.

Commissioner Peggy Beltrone complimented Randy Hand-Finance Director for being in accordance with the law and for the work that he had done. She said that she was not, however, in agreement with the law, but that they were in accordance with it. She stated that it had been difficult to balance the hard feelings and said that they would try to get this resolved with the legislature.

Chairman Lance Olson called for a vote.

Motion carries 3-0.

AGENDA ITEM #5

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

Chairman Lance Olson welcomed public comment at this time.

Tim Gregori of 3521 Gabel Road, Billings, MT is the CEO for SME. He said that this had been a long process. He thanked the commission for an exemplary level of professionalism. He said that he understood the strong feelings and emotions on both

sides of the issue. He said that SME will earn worthiness and trust through example. He told the Commission to remember that he is still just a local Black Eagle Boy.

Brian Hopkins-Deputy County Attorney interjected that this was the beginning of a 30 day protest period. He stated that he had prepared a memo for the public. He also told the audience that this was a time for public participation for items that were not included on the current agenda. The re-zoning was an issue that was covered by Agenda Item #1 and therefore could not be discussed any further. He said that he had copies of his memo that he would distribute to the public. The memo can be read in its entirety and is attached as Exhibit 4.

JC Kantorowicz of 166 Swift Road, Great Falls, Montana requested a meeting with all three commissioners concerning the airport authority.

ADJOURNMENT:

The meeting was adjourned at 9:50