

**CASCADE COUNTY COMMISSION MEETING
AUGUST 26, 2008
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 p.m.**

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611 (2) (b)

PRESENT:

Commission- Chairman Lance Olson, Commissioner Joe Briggs and Peggy Beltrone.

Staff- Brian Hopkins, Susan Conell, Brian Clifton, Joe LaForest, Allene Mares, Dave Sutton, Randy Hand, Lisa McGilvra, and Marie Sickels.

Public – Clayton M. Braden, Adam Koslen, Alice Honrud, Jim Larson, William R. Zucconi, Loren Smith, Karl Puckett, Kendall Cox and media.

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

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

READING OF THE WEEKLY CALENDAR: Lisa McGilvra read the calendar.

APPROVAL OF PURCHASE ORDERS AND ACCOUNTS PAYABLE WARRANTS:

Commissioner Briggs made a **MOTION** to approve purchase orders and accounts payable warrants # 170928 through #171149 totaling \$759,346.57 dated 8/8/08 through 8/14/08. Purchase orders and accounts payable warrants #171150 through #171305 totaling \$317,874.24 dated 8/14/08 through 8/20/08.

Motion carries 3-0

CONSENT AGENDA:

Commissioner Briggs made a **MOTION** to approve the consent agenda and minute and minute entries, and routine contracts as follows;

CONSENT AGENDA:

- ✓ ♦Resolution 08-74 Budget Modification with the Sheriff's Office in the amount of \$246.00.
- ✓ ♦ Memorandum of Agreement with the Montana Department of Transportation for the Black Eagle Water Main Replacement Project.
- ✓ ♦Modification of Service Contract No. 08-22A-A008 w/ Department of Public Health and Human Services and Aging Services for the delivery of services to older individuals.
- ✓ ♦Renewal of contract with Cable 7 to air Commission Meetings in the amount of \$1,680.00.

- ✓ ♦Contract with Big Sky Civil & Environmental, Inc. for Spill Control and Counter Measures Plan for the new county shops in the amount of \$2,500.00.
- ✓ ♦Agreement for Extraordinary Snow Removal with Malstrom Air Force Base

CITY-COUNTY HEALTH DEPARTMENT:

- ✓ Employment contract with Dr. Matthew Martin D.D.S. to provide dental clinic services at a rate of \$75.00 per hour for 20 hours a week.
- ✓ ♦ Immunization contract with Department of Health and Human Services to provide fiscal management for Immunization Services in the amount of \$32,703.00.
- ✓ ♦ Department of Environmental Quality Contract 509002 for an air pollution control program.

Motion carries 3-0 to approve consent agenda.

AGENDA ITEM #1

MOTION TO APPROVE/DISAPPROVE PRELIMINARY PLAT OF THE MCDUNN MINOR SUBDIVISION.

Commissioner Beltrone made a **MOTION** to conditionally approve the McDunn Minor Subdivision Plat located in the NE ¼ of the NE1/4 of Section 36, Township 21 North, Range 3 East, P.M.M. Cascade County, Montana and the accompanying Findings of Fact, subject to the applicant including 5 conditions.

Susan Conell gave a synopsis of this stating that the Planning Board unanimously recommends with a vote of six to zero. She also mentioned that the subdivision site is not expected to create significant surface run-off problems and since this land is zoned General Business (B-2) they do not have to consider the soil type.

There was some discussion on city annexed property, city roads, and structures.

Motion carries 3-0

AGENDA ITEM #2

PUBLIC HEARING WITH A MOTION TO APPROVE/DISAPPROVE RESOLUTION 08-76 TO REZONE PARCEL #2684700 FROM A-2 (AGRICULTURAL) TO L-1 (LIGHT INDUSTRIAL).

Chairman Olson opened the Public Hearing at 9:42 a.m.

The reading of the public notice was waived with no objections.

Proper notices were placed in the Great Falls Tribune on August 6th, 10th, and 17th. Two people responded with questions, not opposition.

Chairman Olson requested Opponents three times with no response.

Chairman Olson requested Proponents three times with no response.

Commissioner Briggs questioned why Bill Weber a member of the Great Falls Development Authority abstained from voting on this rezone. There was some

discussion and Loren Smith stated he abstained because he was friends with Loren Smith. Commissioner Briggs had concerns about being on the Great Falls Development Authority Board and voting as well. Commissioner Olson had questions about ground water runoff problems. Brian Clifton stated the DEQ Section 8 deals with run off problems they are beginning to develop the property.

Commissioner Briggs made a **MOTION** to approve the Resolution of Intention to rezone Tract 2, Certificate of Survey #1069 in Section 17, Township 21 North, Range 4 East, and Cascade County, Montana from “A-2” Agricultural District to “L-1” Light Industrial District.

Motion carries 3-0

Chairman Olson closed the public hearing at 9:50 a.m.

AGENDA ITEM #3

MOTION TO APPROVE/DISAPPROVE AN AGREEMENT WITH THE ENVIRONMENTAL PROTECTUION AGENCY AND THE CITY COUNTY HEALTH DEPARTMENT FOR THE NEIHART INSTITUTIONAL CONTROLS IN THE AMOUNT OF \$100,000.00.

Commissioner Beltrone made a **MOTION** to approve the Cooperative Agreement with the Environmental Protection Agency for the Neihart Carpenter Snow Creek Superfund site in the amount of \$100,000.

Allene Mares Director of City/County Health Department presented this agreement and gave the background stating that this addressing soil contamination of arsenic and lead as a result of past mining. This program will include public outreach and education, consultation with contractors and septic installer’s blood-lead testing for Neihart children, soil sampling and measures to restrict access to waste material.

Commissioner Beltrone approved of this program and stated that with the agencies satisfied this area is no longer a health issue.

Motion carries 3-0

AGENDA ITEM #4

MOTION TO APPROVE/DISAPPROVE THE BOB MARSHALL PLACE RURAL SPECIAL IMPROVEMENT DISTRICT BID AWARD

Commissioner Briggs made a **MOTION** to approve the Bob Marshall Place Rural Special Improvement District bid award in the amount of \$97,145.00 with United Materials.

Dave Sutton informed the Commission that process has gone well and he felt comfortable with the bid award. Commissioner Beltrone thanked him for the hard work on this long process.

Motion carries 3-0

AGENDA ITEM # 5

MOTION TO APPROVE/DISAPPROVE THE LETTER OF COMMITMENT TO THE NATIONAL ACTION PLAN FOR ENERGY EFFICIENCY.

Commissioner Briggs made a **MOTION** to approve the letter of commitment to the National Action Plan for Energy Efficiency.

Commissioner Beltrone presented this item stating that this is a letter of commitment to encourage energy efficiency in our county. She read the letter found in the agenda packet.

Commissioner Briggs thanked her and her assistances Stephen and Mattie for all her hard work on this project, and Chairman Olson echoed.

The website www.cascadecountywind was mentioned.

Motion carries 3-0

AGENDA ITEM # 6

MOTION TO APPROVE/DISAPPROVE RESOLUTION 08-77 FOR AN INTERCAP LOAN APPLICATION

Commissioner Briggs made a **MOTION** to approve Resolution 08-77 for an Intercap Loan Application.

Randy Hand presented this Intercap loan stating it will help pay for upcoming office relocation and reconstruction projects. There was some discussion concerning the county budget.

Clay Braden questioned if this loan was going to increase the public's taxes?

Commissioner Briggs stated it would not increase the taxes but the county would make the payments.

Motion carries 3-0

AGENDA ITEM # 7

PUBLIC HEARING WITH A MOTION TO APPROVE/DISAPPROVE FINAL RESOLUTION 08-75 TO INCREASE THE FEES OF THE CASCADE COUNTY RURAL SOLID WASTE DISTRICT

Chairman Olson opened the Public Hearing at 10:12 a.m.

The reading of the public notice was waived with no objections.

Randy Hand stated this has been a long project in the past Solid Waste was creating no revenue and it has become privatized because of that the fees needed to be revised and each member in the district would receive a ticket to use. They are also installing a recycle program at no charge. He stated there have been some issues but they will work them out as they go.

Commissioner Briggs agreed that this is a work in progress and they will reevaluate the rates and hopefully they will go down.

Commissioner Beltrone agreed that no one like to increase taxes but with the steps taken it is possible to lower them in the future.

Chairman Olson questioned if the verbiage should be changed on the rate sheet to state pick-up load or small utility trailer instead of truck load. Brian Hopkins advised that it would be best to revise the fee sheet at a later date. Chairman Olson agreed that there are many concerns to deal with and hopefully the fee can be lowered.

Chairman Olson requested Opponents three times with no response.

Chairman Olson requested Proponents;

Clay Braden had questions about if the county would be picking up his garbage and if he needed a special container. Chairman Olson reminded him that the Solid Waste District is created to develop and maintain dump sites. Mr. Braden voiced his concerns about the increase in fees and lack of service to his residence. Commissioner Briggs reminded him that this is not a service but a system creating proper dump sites. There was further discussion on dump tickets, where to dump, and the increased rates.

Chairman Olson called for proponents three times in which there were none.

Commissioner Beltrone made a **MOTION** to approve the Resolution to increase solid waste assessments to the new rate listed for each category of user, as reflected on attachment A of the Resolution of Intent.

Chairman Olson closed the public hearing at 10:25 a.m.

Motion carries 3-0

AGENDA ITEM#8

PUBLIC PARTICIPATION IN DECISIONS OF BOARD AND ALLOWANCE OF PUBLIC COMMENT ON MATTERS THE COMMISSION HAS JURISDICTION, ON ITEMS NOT COVERED BY TODAY'S AGENDA.

Commissioner Beltrone summarized the meeting topics and how they relate to the Commission being stewards of our lands. She mentioned the Niehart

cleanup project, their commitment to energy efficiency, solid waste which encourages environmental protection, the cleanup of the road department. She stated there are many county departments working hard on these issues. She announced the Commission is leading the county more and more in helping to improve our community.

Chairman Olson agreed stating they are always dealing with energy issues.

Chairman Olson opened the meeting to public comment.

Clay Braden questioned the Commission on their salary of \$69,000 and if that includes benefits. He also questioned if they work 80 hours per pay period. Chairman Olson informed him that he will not accuse this Commission of not working the hours they are being paid for. Mr. Braden began questioning the Solid Waste fees and asked how many years they would be charged. Chairman Olson stated this was already discussed in the public hearing.

Chairman Olson welcomed Jim Larson to the meeting whom is running for the upcoming Commission seat.

ADJOURNMENT:

The meeting was adjourned at 10:10 a.m.

NEXT MEETING DATE:

All meetings are held in the Commission Chambers at the Courthouse Annex.

Special meeting will be August 21, 2008 at 9:00 a.m.

Regular Commission meeting will be August 26, 2008 at 9:30 a.m. and work session will be held on September 3, 2008 at 2:00 p.m.