

**CASCADE COUNTY COMMISSION MEETING
NOVEMBER 12, 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, Stacey Bird, Linda Cargill, Carey Ann Shannon, Lisa McGilvra, Rina Fontana Moore, and Marie Sickels.

Public – Aart Dolman, Kathleen Z. Gessaman, Ronald L. Gessaman, Neil Taylor, and Richard Liebert, John Watts, and Clayton M. Braden.

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 # 172898 through #173188 totaling \$633,690.61 dated 10/17/08 through 10/23/08. Purchase orders and accounts payable warrants #173189 through #173355 totaling \$501,690.97 dated 10/24/08 through 10/29/08. Also payroll #55795 through #55978 totaling \$114,008.41 and direct deposit for October totaling \$648,679.32. Also purchase orders and accounts payable warrants #173356 through #173410 totaling \$376,614.32 dated 10/31/08 through 11/06/08.

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;

- ❖ **Resolution 08-91 budget modification within DUI Task Force**
- ❖ **Resolution 08-92 budget modification within JDC**
- ❖ **Memorandum of Agreement with Opportunities Inc. to provide an individual from the Youth Employment Program with the Retired Senior Volunteer Program**
- ❖ **Agreement with Ronald Foltz for Federal Grant Compliance Training**
- ❖ **Resolution 08-93 Bob Marshall Place Rural Special Improvement District Bond in the amount of \$101,270**

❖ **Scope of work change with Praxis Inc.**

CITY-COUNTY HEALTH DEPARTMENT:

◆**Employment Contract with Aleece Reynolds as a Licensed Clinical Social Worker in the amount of \$43,680 annually**

Motion carries 3-0 to approve consent agenda.

AGENDA ITEM #1

**PUBLIC HEARING WITH A MOTION TO APPROVE/DISAPPROVE
RESOLUTION OF INTENT 08-90 TO REZONE PARCEL #2688600
FROM A-2 (AGRICULTURAL) TO I-2 (HEAVY INDUSTRIAL)**

The public hearing was opened at 9:35 a.m. by Chairman Olson.

Susan Conell County Planner gave a synopsis of the Resolution of Intent to rezone, stating that Dickinson Broadcast Corporation, Stanley Deck owner is requesting the rezone. She also read her Agenda Action Report, and mentioned that a thirty day protest period will be given.

Chairman Olson called for *Proponents* three times, in which there was no response.

Chairman Olson called for *Opponents* three times, in which there was no response.

Commissioner Briggs made a **MOTION** to approve the rezoning of Parcel #2688600 in Section 19, Township 21 North, Range 4 East, from “A-2” Agricultural to “I-2” Heavy Industrial.

There was further discussion concerning approaches, and improved roads.

Chairman Olson closed the public hearing at 9:54 a.m.

Motion carries 3-0

**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.**

Chairman Olson opened the meeting to public comment, reminding the public that they as a Commission in the past have always taken comments on every item. He stated for efficiency and time constraints that the public not repeat themselves and comments made should only reflect what the Commission has jurisdiction over.

Brian Hopkins Chief Deputy Civil Attorney reminded the public that Montana Code Annotated 2-3-123 which states that public comment should be on matters that the Commission has jurisdiction over. He defined several issues that the Commission does not have jurisdiction over.

Neil Taylor approached the Commission requesting more information about the SME 3.2 million letter of credit. He reminded them that he asked about it at the last meeting without a response. Chairman Olson and Brian Clifton reminded him that this was addressed at the last meeting in which a three hundred thousand dollars was required as a initial impact to the road with an additional funding required October 2009 if the project continues. Mr. Taylor stated he did not see any paper work stating that the additional funding was due on October 2009. Mr. Clifton stated he could bring his concerns the Zoning Board of Adjustments whom now has jurisdiction over this matter.

Richard Liebert approached the Commission with his comments concerning the CMR wind turbine. He questioned what the County was doing to support wind to schools? Commissioner Beltrone responded by informing him of an upcoming workshop that would train and assist teachers in a Kid Wind workshop. She also reminded him of additional ways the County is productive in promoting wind energy. Mr. Liebert also suggested to the Commission that the military runway could possibly become a commercial runway which would aid in developing and sharing it with the military. He also questioned how many land performance permits have been issued over the past four years and if he could get copies? Mr. Clifton stated nearly 800 have been issued and reminded him of the copy fees in which he refused to pay for in the past. Mr. Clifton stated he would need to submit his request in writing and pay prior to the copies being made. Mr. Liebert in closing quoted Luke 14:28 concerning building.

Clayton M. Braden approached the Commission stated he noticed the Commission delayed their meeting for one day to honor the Veterans and he thanked them for that. He as a Veteran himself and on the behalf of the other 11, 000 Veterans in Cascade County he stated their appreciation for the honor.

Kathleen Gessaman approached the Commission to thank them and Rina Fontana Moore her office and staff for the great experience of Election Day.

Chairman Olson thanked her for working on Election Day.

Ron Gessaman approached the Commission to second his wife's compliments. Mr. Gessaman commented on the campaign signs still up and how they were in violation. He then stated he was not happy with the situation in which he is not getting the full access to emails from the County and commented on specific

emails. He also voiced his frustration in not getting all the responses to the emails.

Chairman Olson stated they had addressed this at the last meeting and requested he give written notification of what he is specifically asking for. He also informed him that at times some responses are made by phone calls not a responding email

Brian Clifton reminded him of the over 12,000 pages they have provided. He also stated that emails are sometimes created due to phone calls made to keep a hard copy of statements made.

Brian Hopkins stated that 190 emails from Commissioner Beltrone has also been provided to him.

John Watts approached the Commission questioning the .25 cent copy fee and asked if they were charged for the copies of the emails too? He also suggested placing the documents on a DVD to save the murder of innocent trees. He stated that a forest has already been killed and it would be more efficient.

There was further discussion about copying the documents onto a media instead of providing hard copies.

ADJOURNMENT:

The meeting was adjourned at 10:15 a.m.

NEXT MEETING DATE:

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

The next meeting will be a work session meeting that will be held on Wednesday November 19, 2008 at 2:00 p.m.