

**CASCADE COUNTY COMMISSION MEETING
MAY 10, 2011
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 a.m.**

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

PRESENT:

Commission- Chairman Bill Salina, Commissioner Joe Briggs and Commissioner Jane Weber.

Staff seated with Commission – Brian Hopkins, Brian Clifton, Bonnie Fogerty and Marie Sickels.

Public: Diane N. Volk, Roy D. Volk, Naomi Frame, Dan Kleinjan, Ron Litostansky, Barb Hoven, Brian Hoven, Roger Handa, Dan O’Fallon, John Stevens, Bob Edwards, Alicia Thompson, Johnny Walker, and media. (Others attended but did not sign in.)

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

PROCLAMATION: Commissioner Briggs read the Older Americans Month 2011 a proclamation honoring our older adults.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

READING OF THE WEEKLY CALENDAR: Bonnie Fogerty read the calendar.

APPROVAL OF PURCHASE ORDERS AND ACCOUNTS PAYABLE

WARRANTS: Commissioner Weber made a **MOTION** to approve purchase orders and accounts payable checks #203436 through #203761 totaling \$871,197.77 dated 04/20/2011 through 04/22/2011. Also purchase orders and accounts payable checks #203762 through #203976 totaling \$375,027.05 dated 04/27/2011 through 04/29/2011.

Motion carries 3-0

CONSENT AGENDA:

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

Resolution 11-44: Budget Modification within the Sheriff’s Office for Marine Enforcement Grant Program to close out F/Y 2010 Grant and apply for new grant.

Resolution 11-48: Budget Modification within the Sheriff’s Office for the Adult Detention/Public Safety program. Covering cost for Union Contract Detention Uniforms for past 4 years to increase budgeted revenue with YTD transactions to cover anticipated expenses.

Resolution 11-49: Budget Modification within the Treasurer’s Office for lease agreement on storage room in basement of Tribune Condo Plaza.

Resolution 10-50: Budget Appropriation within Aging to establish a budget for FY/11 Area III North Central Commodities. (*Contract#11-027-A008*)

Contract 10-42: Noxious Weed Trust Fund Project Grant Agreement, #MDA 2011-049 *Hound Creek Weed Management Area* Effective: April 7, 2011-October 31, 2012 Maximum Grant Amount: \$50,000. Between: MT Dept of Agriculture & Cascade County (project sponsor)

Contract 10-43: Noxious Weed Trust Fund Project Grant Agreement, #MDA 2011-714 *Smith River Cooperative Weed Management Project* Effective: April 7, 2011-October 31, 2012 Maximum Grant Amount: \$11,000. Between: MT Dept of Agriculture & Cascade County (project sponsor)

Contract 10-45: ~~Lease & Inter local Agreement between Great Falls School District No. 1 and Cascade County for MSU Extension Office. Monthly Rental: \$2,019.94~~ ***This agreement was pulled for revisions***

City County Health Department

Contract 11-39: Amendment to License Agreement, #QM004783, Amendment #QM007869 with Quality Metric Incorporated. License Fee: \$638.75, Effective: May 17, 2011-May17, 2012. Total Administrations: 325

Contract 11-40: Employment Contract with Nora Norum, M.D. (renewal) Compensation: \$5,017.60 every other week in accordance with the regular payroll cycle. (*Effective Dates: April 25, 2011-April 25, 2012*)

Motion carries 3-0

AGENDA ITEM #1

MOTION TO APPROVE/DISAPPROVE CONTRACT 11-38 WITH THE SHERIFFS DEPARTMENT AND MT DEPARTMENT OF CORRECTIONS Contract #04-053-DIR, Amendment #5 with MT Department of Corrections and Section 5: billing, payment & compensation C. Per Diem 4 retroactive to July 1, 2008 - \$59.15 per offender, per day. Financial Impact: \$633,983.78 as of March 31, 2011.

Captain O'Fallon stated that this is good news and will impact the good side, which is per Diem from 2008 at the rate of \$59.15 per day. Captain O'Fallon and Commissioner Weber thanked Randy Hand for his assistance.

Commissioner Weber made a **MOTION** to approve Contract 11-38 an addendum to the original contract #04-53-DIR with the Department of Corrections per diem, retroactive to July 1, 2008.

Motion carries 3-0

AGENDA ITEM #2 PUBLIC HEARING
MOTION TO APPROVE/DISAPPROVE THE PRELIMINARY PLAT
OF MISSOURI RIVER BIG BEND 3 MAJOR SUBDIVISION

CALL TO ORDER-

Chairman Salina opened the Public Hearing at 9:45 a.m.

READING OF THE PUBLIC NOTICE-

Chairman Salina waived the reading of the Public Notice without objections and requested it be made it part of the public record (see exhibit "A").

EXPLANATION FROM PLANNING STAFF-

Susan Conell Planning Director gave the background of this preliminary plat of Missouri River Big Bend III Major Subdivision located in the W ½ of Section 14, and the E ½ of the SE ½ of Section 15, and the NW ¼ NW ¼ of Section 23, Township 19 North, Range 3 East, P.M.M., Cascade County, Montana. (This can be found in the Agenda Action Report dated May 10, 2011). She highlighted the need for a variance request for the 1000 foot diameter fire regulation, the re-zone request for a majority of the property, and also the acceptance of the looping road again for meeting the two ingress and egress road regulations.

There was discussion amongst the Commission and Staff concerning the above variances and criteria's.

APPLICANT-

Roy N. Volk, Property owner and applicant, stated that this has been an ongoing process that began seven years ago. He reminded the Commission that he has worked hard to meet the requirements and went above what was required to provide fire protection cisterns, and is working closely with the Gore Hill Fire Chief to make sure that they equipment is being properly maintained. He requested the Commission approve his preliminary plat and stated that lot 17 is a long time coming.

PROponents-

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

OPponents-

Chairman Salina called for opponents three times in which there were none.

INFORMATIONAL WITNESSES-

Johnny Walker approached the Commission stating he was in support of Mr. Volk. He also requested that the Commission be aware of the bad dangerous condition of Fox Farm Road. He also questioned what the long term plans were for improving Fox Farm Road. Brian Clifton Planning Works Director stated that an RSID is possible but will take time and the road is a priority as the funds come available. Mr. Walker encouraged the Commission to aggressively monitor and pursue improving this road.

ADJOURNMENT OF THE PUBLIC HEARING-

Chairman Salina closed the public hearing at 10:15 p.m.

Commissioner Weber made a **MOTION** to conditionally approve the preliminary plat of the Missouri River Big Bend III Major Subdivision located in the W ½ of Section 14, and the E ½ of the SE ½ of Section 15, and the NW ¼ NW ¼ of Section 23, Township 19 North, Range 3 East, P.M.M., Cascade County, Montana subject to the staff report and 17 conditions.

Motion carries 3-0

**AGENDA ITEM #3 MOTION TO APPROVE/DISAPPROVE
CONTRACT 11-44 PAL (PROVISIONALLY ACCREDITED LEVEE
AGREEMENT FOR THE WEST GREAT FALLS FLOOD CONTROL
AND DRAINAGE DISTRICT**

Brian Clifton Planning Works Director presented this agreement stating that this allows them and additional two years to gather information and material required for FEMA (Federal Emergency Management Agency) to accredit the levee. He also mentioned that this agreement has been revised with new language and a change in the date.

Ron Litostansky of the West Great Falls Flood Control & Drainage District announced that last Monday all of the residents agreed to sign the PAL agreement.

Commissioner Briggs stated he was happy to make this motion and thanked the Staff for all their work.

Commissioner Briggs made a **MOTION** to approve Contract 11-44 PAL (Provisionally Accredited Levee) agreement with the West Great Falls Flood Control & Drainage District.

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 Salina called for Public comment in which no one came forward. Therefore meeting was adjourned 10:24 a.m.

A member from the public spoke up and requested to speak the meeting was reopened for public participation.

Linda Metzger of 32 Windy Ridge Lane approached the Commission to announce that she and her husband had appeared to request Broadband service at their home, last autumn. She was now asking if there has been any progress with their request. Commissioner Briggs responded to her request and stated he has been advocating and felt that there was a need to remove barriers to level the playing field for local companies to provide services. There was further

discussion between Commissioner Briggs and Mrs. Metzger, with her stating that Montana has pockets of dead spots although North Dakota provides service to their residents. Mrs. Metzger continued with reading quotes and making statements that the Commission has done nothing to advocate on behalf of this matter and she requested that they bump it up. Brian Hopkins suggested that Chairman Salina end this now. Chairman Salina reminded her that we chose to live where we do for some amenities and also realize that other ones may not be available for us. There was also mention of the time limit for which the public can speak. After a few more comments Mrs. Metzger left the podium.

Representative Brian Hoven approached the Commission to confirm his support for Johnny Walkers comments about Fox Farm Road. He requested it be a high priority for the Commission.

ADJOURNMENT:

The meeting was adjourned at 10:45 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, May 18, 2010 at 2:00 p.m. With a special meeting to be held May 19, 2011 at 9:00 a.m.