

**CASCADE COUNTY COMMISSION MEETING
JUNE 14, 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, Mark Donahue, Anita McNamara, Bonnie Fogerty and Marie Sickels.

Public: Michael E. Henen, Kendell Cox, Naomi Frame, Linda S. Martin, Claree Kelly, Karl Puckett, Kay Mitchell, Harry Mitchell, John Watts, Susan Conell, Milo Halvorson, Clayton M. Braden, Alicia M. Thompson, Rachel Ousley, and media.

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

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 Briggs made a **MOTION** to approve purchase orders and accounts payable checks #204646 through #204907 totaling \$730,203.40 dated 05/18//2011 through 045/20//2011. Also purchase orders and accounts payable checks #204908 through #205015 totaling \$360,256.14 dated through 05/27/2011. Also purchase orders and accounts payable checks #205016 through #205381 totaling \$523,865.48 and payroll checks #63589 through #637364 totaling \$5,396.61 dated 05/20/2011 and direct deposits were made totaling \$762,507.79.

Motion carries 3-0

CONSENT AGENDA:

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

◆ **Resolution 11-56:** Budget Modification within Motor Vehicle Fund to allow for purchase of IT supplies necessary for fiscal year 2011.

◆ **Resolution 11-57:** Budget Modification within the Expo Park to reallocate budget authority from wage expense and operating expense to cover expenses for fail related expenses for food and event programs.

◆ **Resolution 11-59:** Cascade County Attorney requests prosecutorial assistance in the case of State vs. Justin Michael Santy.

- ◆ **Contract 11-42:** Disaster and Emergency Services equipment service contract with The Office Center Inc to cover maintenance on copy machine for a monthly fee of \$45.00.
- ◆ **Contract 11-53:** Alliance for Youth Inc and Regional Youth Service Center, to provide curfew checks for youth of drug court, in the amount of \$15.00 per hour not to exceed \$30-00 per night.
- ◆ **Resolution 11-63:** Budget Modification within Aging Services senior transportation fund to reallocate budget expenses to increase salaries, wages and employer contributions.
- ◆ **Resolution 11-64:** Budget Modification within Aging Services to reallocate expense categories to senior transportation, salaries, and fuel bills.
- ◆ **Resolution 11-65:** Budget Appropriation in Aging Services Adult Disability Resource Center (ADRC) grant correcting department 534 referring to contract 11-13.
- ◆ **Resolution 11-66:** Budget Modification within Aging Services to reclassify grant budget for a full time ADRC position.
- ◆ **Contract 11-55:** Memorandum of Understanding between RSVP and Prevention Resource Center for VISTA volunteer Kara McKinney in the amount of \$600.00.
- ◆ **Contract 11-56:** Memorandum of Understanding between RSVP and Prevention Resource Center for VISTA volunteer Sara Walker in the amount of \$600.00.

City/ County Health Department

- ◆ **Contract 11-33:** Amendment Number one to task order #11-07-31-003-0 public home visiting increased to \$75,260.30. Contract 10-116 recorded as R021882.
- ◆ **Contract 11-54:** Agreement between Montana Dietetic Internship Program MSU-Bozeman and the City/County Health Department for a five (5) year term agreement.
- ◆ **Resolution 11-58:** Budget modification within Medicaid Health Improvement Department to increase budget authority from rent expense to building repair expense.
- ◆ **Resolution 11-67:** Budget modification within the tobacco department to expense the entire amount of the grant for office supplies and advertising original grant recoded as R0218465.
- ◆ **Resolution 11-68:** Budget modification within the Montana Cancer Control Program for redistribution of the remaining budget from operating supplies to professional services.

No further comments were made.

Motion carries 3-0

AGENDA ITEM #1

MOTION TO APPROVE/DISAPPROVE CONTRACT 11-57 FOR THE CITY/COUNTY HEALTH DEPARTMENT FOR THE HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) CONTINUATION GRANT

Alicia Thompson presented this grant stating that this is a Federal grant in the amount of \$20,090,315.00 with \$917,434.00 being Federal funds and the remaining amount of \$1,172,881.00 comes from multiple sources.

Commissioner Briggs made a **MOTION** to approve Contract 11-57 HRSA continuation grant for the budget period of June 1, 2011 through May 31, 2012.

Motion carries 3-0

AGENDA ITEM #2

MOTION TO APPROVE/DISAPPROVE RESOLUTION 11-69 BUDGET APPROPRIATION FOR THE CITY/COUNTY HEALTH DEPARTMENT FOR THE HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) CONTINUATION GRANT

Alicia Thompson presented this appropriation for contract 11-57, stating that none of this money comes from the General fund and the non federal funds come from services provided by the City/County Health Department and other donations that they receive from the community including donations from Benefis.

There was some discussion on the funds donated by Benefis from the public, Milo Halverson questioned the fact that Benefis does not pay taxes and that he is not favorable to that.

Commissioner Weber announced that the City/County Health Department has hired a new Clinic Manager and she welcomed Keith Echols.

Commissioner Briggs made a **MOTION** to approve Resolution 11-69 budget appropriation for the HRSA continuation grant for the budget period of June 1, 2011 through May 31, 2012.

Motion carries 3-0

AGENDA ITEM #3

MOTION TO APPROVE/DISAPPROVE ORDINANCE 06-10C AN ORDINANCE TO CONTROL COMMUNITY DECAY CAUSED BY ACCUMULATION OF RUBBLE, DEBRIS, JUNK OR REFUSE, AND ESTABLISHING PROCEDURES FOR ITS ENFORCEMENT.

Brian Hopkins presented this Ordinance thanking Carey Ann Shannon for her hard work in revising it. He also announced that this is the 2nd and final reading of the Ordinance which will clarify the boards intent that the agency is now the Cascade County Community Decay Program Director under the Cascade County Public Works Department and to clarify that junk vehicles can be shielded but can't be a health hazard also it allows them to hire a contractor to clean up the properties if needed.

Clayton M. Braden has questions about old vehicles and if they are considered antiques or junk vehicles, he was advised to contact Jim Shillingburg to clarify or report junk vehicles too.

Milo Halvorson questioned if they hired a contractor to clean up the properties if they would be insured. He was informed that it would be covered under the contractor and county insurance.

Commissioner Briggs made a **MOTION** to approve Ordinance 06-01C (second reading), an ordinance to control community decay caused by accumulation of rubble, debris, junk or refuse; and establishing procedures for its enforcement.

Motion carries 3-0

AGENDA ITEM #4

MOTION TO APPROVE/DISAPPROVE RESOLUTION 11-60 TAX BENEFIT FOR STEEL ETC, HOLDING COMPANY

Public Hearing

Chairman Salina opened the public hearing at 9:50 a.m.

Reading of the Public Notice

The reading of the public notice was waived without objections and made part of the record (see exhibit "A").

Staff Presentation

Brian Hopkins presented this tax abatement stating that historically tax abatements are approved without analysis. He stated he tried to get figures for them on the amount of taxes not received; but due to staff issues he was unable to. He reminded them that Steel Etc. has vested \$200,466.35 in heavy equipment aimed at providing more storage and ability to transport recycled material to its customers. He requested that based on the considerations Steel Etc. qualifies for the tax abatement and requested that they consider the motion.

Commissioner Weber announced that this is the first tax abatement presented to her and she would like to develop some criteria to look at including; large amounts of tax abatements, number of employees, tax loss to the County, and a business plan. She stated she would like to understand more and is not in disapproval but would like to see some criteria.

Chairman Salina stated that this is something to consider.

Commissioner Briggs stated that they need to be careful with criteria's and feels that they need to grant all or deny all and that business expansion is a good thing.

Call for Opponents

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

Call for Proponents

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

Informational Witnesses

Chairman Salina called for Informational Witnesses in which Milo Halvorson stated that they should support industry and not tax them.

Chairman Salina called for Informational Witnesses in which there were no further comments.

Close of the Public Hearing

Chairman Salina closed the Public Hearing at 10:04 a.m.

Call for a Motion

Commissioner Weber made a **MOTION** to approve Resolution 11-60 approving the application of Steel Etc. for tax abatement on its qualifying as an expanding industry.

Motion carries 3-0

AGENDA ITEM #5

MOTION TO APPROVE/DISAPPROVE PRELIMINARY PLAT OF ROCKIN G

Public Hearing

Chairman Salina opened the public hearing at 10:05 a.m.

Reading of the Public Notice

The reading of the public notice was waived without objections and made part of the record (see exhibit "B").

Staff Presentation

Mark Donahue gave the synopsis found in the Action Agenda Report dated June 14, 2011. This included the request to accept a variance for an existing power easement to remain on the dividing lot.

Commissioner Briggs commented on not seeing topography on the base hill power lines and questioned how they feed into the above land, and if there would be development over the easement.

Mark Donahue stated that there would be no development over the easement.

Mike Henen surveyor stated that the power line feed comes from a County road utility box below which is underground at the base of the hill.

Commissioner Weber questioned if they would be revising the subdivision regulations soon, she was informed that they usually reopen every two years and are due for review.

Call for Applicant

Chairman Salina called for the Applicant with no comment.

Call for Opponents

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

Call for Proponents

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

Informational Witnesses

Chairman Salina called for Informational Witnesses in which there were no further comments.

Close of the Public Hearing

Chairman Salina closed the Public Hearing at 10:18 a.m.

Call for a Motion

Commissioner Briggs made a **MOTION** to approve said Staff Report and Findings of Facts and the Preliminary Plat of Rockin G's Minor Subdivision along with the associated variance, located in the S1/2 of the S1/2 of Section

29, Township 20N, Range 4 East, P.M.M., Cascade County, Montana subject to eight conditions.

Motion carries 3-0

AGENDA ITEM #6

MOTION TO APPROVE/DISAPPROVE REZONE OF PARCEL #2390800 FROM SUBURBAN RESIDENTIAL “SR-2” TO OPEN SPACE DISTRICT “OS”

Public Hearing

Chairman Salina opened the public hearing at 10:19 a.m.

Reading of the Public Notice

The reading of the public notice was waived without objections and made part of the record (see exhibit “C”).

Staff Presentation

Anita McNamara presented this rezone giving the synopsis found in the Action Agenda Report dated June 14, 2011.

There were no questions or comments on this rezone.

Call for Applicant

Chairman Salina called for the Applicant with no comment.

Call for Opponents

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

Call for Proponents

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

Informational Witnesses

Chairman Salina called for Informational Witnesses in which there were no further comments.

Close of the Public Hearing

Chairman Salina closed the Public Hearing at 10:27 a.m.

Call for a Motion

Commissioner Weber made a **MOTION** to approve said Staff Report and Findings of Facts and the approval of the Sunlight Partners, LLC rezone portions of parcel #2390800 in Section 14, Township 19 North, Range 3 East, P.M.M., Cascade County, Montana from “SR-2” Suburban Residential District to “OS” Open Space District also to be conditioned upon final plat approval of the Missouri River Big Bend III Subdivision.

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. Clayton M. Braden shared his concerns for County roads and decay issues.

ADJOURNMENT:

The meeting was adjourned at 9:58 a.m.