

CASCADE COUNTY COMMISSION MEETING
February 7, 2012
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). These minutes are in draft form until officially approved at the February 21, 2012 commission meeting. All exhibits can be obtained at the Clerk and Records office.

PRESENT:

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

Staff seated with Commission –Brian Hopkins, Tristan Riddell, Susan Conell, Rob Rung, Bonnie Fogerty, and Marie Sickels.

Public: Louis Fontana, Don Feist, Carol Benoit, David Murray, John Ward, Sheila Rice, Lyle Meeks, and Vince Kolar.

CALL TO ORDER: Madam Chair Weber 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 Salina made a **MOTION** to approve purchase orders and accounts payable checks #212978 through #213030 totaling \$338,455.44 dated 01/17/2012 through 01/20/2012.

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 12-09:** Budget Appropriation for the Senior Medicare Patrol, Tribal Nation even year contract. Establish Budget for F/Y 2012. Effective: Oct. 1, 2011-Sept. 30, 2012 (*Ref: Contract 11-133 MT SMP MOU Expansion Grant, R0242840*)

◆ **Contract 12-07:** Rental Agreement between Cascade County and Disaster & Emergency Services. Location: 521 1st Avenue NW, GF, MT. Effective: February 7, 2012 - February 7, 2014. Rent: \$2,000 per month.

◆ **Contract 12-08:** MT DPHHS Commodity Supplemental Food Program, Contract #: 12-027-21005-0 \$3.00 per client with 864 slots awarded, Total Amount: \$31,104. Effective: October 1, 2011-September 30, 2012.

◆ **Ordinance 12-01:** (*2nd Reading*) Establishing procedure in Cascade County for selection of the presiding officer of the Cascade County Board of Commissioners. (*1st reading, January 10, 2012 commission meeting*)

◆ **Board Appointment:** Planning Board (*1 Opening*) **Stewart Boylan was appointed** Madam Chair Weber announced that there were two applicants which one did not qualify since he did not reside in the County.

City-County Health Department

◆ **Resolution 12-10:** Budget Appropriation for implementation of Patient Centered Medical Home and the technological requirements. Additional Funding: \$35,000.

(Ref: Contract 12-05 & Contract 11-57 HRSA Grant, R0235843)

◆ **Resolution 12-11:** Budget Appropriation to establish budget authority for unanticipated revenues in the Early Head Start program. Total Amount: \$59,438.

◆ **Resolution 12-14:** Budget Appropriation for the WIC Breastfeeding Support Services for $\frac{3}{4}$ of the grant year. Effective: October 1, 2011- June 30, 2012. Total

Amount: \$15,750 *(Ref: Contract 11-128, R0245017)*

◆ **Contract 12-06:** MT DPHHS Amendment Number One to Task Order Number 12-07-5-21-003-0 *(Ref: Contract 11-117, R0240869)*

◆ **Contract 12-09:** MT DPHHS Task Order 12-07-5-51-103-0 Newborn Hearing Screening & Intervention Program. Effective: February 1, 2012-June 30, 2012

Compensation: Otoacoustic Emission (OAE) equipment & associated supplies.

◆ **Contract 12-10:** MT DPHHS Task Order 12-07-4-51-004-0 HIV Prevention Services. Reimbursable Amount: \$14,081.50 Effective: January 1, 2012-June 30, 2012

Motion carries 3-0

AGENDA ITEM #1

PUBLIC HEARING FOR THE CREATION OF SOUTH WIND WATER & SEWER DISTRICT

Madam Chair Weber recessed the regular commission meeting at 8:41 a.m.

Public Hearing

Madam Chair Weber opened the public hearing at 8:42 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 Chief Deputy County Attorney gave the background on the creation of this water and sewer district stating that the reviewed petition does comply with statute.

He also recommended a revision of the motion to remove *(by mail ballot)*.

Sheila Rice of NeighborWorks, Great Falls stated that this manufactured home community is displaced since they own the community but not the land. She stated she is assisting them through this conversion to resident ownership and that this cooperative action would allow them to create a water and sewer district.

Written Testimony

Madam Chair Weber called for written testimony in which there was none.

Call for Applicant

Madam Chair Weber called for the Applicant in which **Don Feist of 5425 Lower River Road** approached the Commission. He stated that he was President of the Co-op and that they received notice that the water is not drinkable and has levels of arsenic above drinking water standards. He stated that no single landowner can fix this problem and that is why they formed a co-op. He also said that they were without water last Christmas and that he

brought a dirty sample of the water from last summer. He also produced a flyer explaining information about their drinking water (see exhibit “B”).

Commissioner Briggs questioned if the arsenic that they found in the well was an issue due to the new compliance standards. Mr. Feist affirmed this and stated that there was only one well and there should be two.

Call for Proponents

Madam Chair Weber called for Proponents;

John Ward of 5405 Lower River Road stated that there have been problems since 1989 and it has only gotten worse and that the conditions need to change. He also added that there have been many ownership problems and that the residents need to get involved.

Lyle Meeks of NCI Engineering affirmed that he has been involved with this water problem since 1989 as well. He reported that he like to help the residents acquire the trailer park which is privately owned to help them with the public water and sewer system. He said with the 96 mobile homes in Trailer Terrace one lagoon is too small and it never overflows, which means it leaks. He closed by stating that this will be an uphill battle but they need to move forward.

There was some discussion concerning the boundaries, and public notices sent. Madam Chair called for proponents three more times in which there were no more.

Call for Opponents

Madam Chair Weber called for opponents three times in which there were none.

Informational Witnesses

Madam Chair Weber called for Informational Witnesses in which there were no further comments.

Close of the Public Hearing

Madam Chair Weber closed the Public Hearing at 9:59 a.m. The regular meeting was reconvened at 10:00 a.m.

Call for a Motion

Commissioner Salina made a **MOTION** to move that the Board of Commissioners direct the County Elections Administrator to conduct an election on the following question: “Shall the proposition to organize the South Wind Water and Sewer District under Parts 22 and 23 of Chapter 13 of Title 7, Montana Code Annotated, be adopted. **Motion carries 3-0**

AGENDA ITEM #2

MOTION TO APPROVE/DISAPPROVE RESOLUTION 12-13 FORMATION OF SOUTH WIND WATER & SEWER AND THE ELECTION OF A BOARD OF DIRECTORS

Brian Hopkins Chief Deputy County Attorney gave the background on the combining of the election on the formation of the district and the election of its Board of directors with the approval of Resolution 12-13. He also submitted a map of the proposed district maps (see exhibit “C”).

Commissioner Briggs made a **MOTION** to approve Resolution 12-13 the election on the formation of the South Wind Water and Sewer District be combined with the election of the Board of directors for the proposed District. I further move that Commission request that the election administrator conduct such combined election by mail ballot.

AGENDA ITEM #3

MOTION TO APPROVE/DISAPPROVE PRELIMINARY PLAT OF IVERS SUBDIVISION

Tristan Riddell gave the background of this preliminary plat (see Agenda Action Report dated February 7, 2012). There was some discussion on a roadway easement.

Commissioner Salina made a **MOTION** to conditionally approve the Preliminary Plat of the Ivers Minor Subdivision based on the findings of fact and conclusions of law within the staff report and subject to conditions 1-14.

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. No Comments.

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, February 15, 2012 at 2:00 p.m.