

**CASCADE COUNTY COMMISSION MEETING
DECEMBER 18, 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 until officially approved at the January 8, 2013 meeting.

PRESENT:

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

Staff seated with Commission – Brian Hopkins, Carey Ann Shannon, Tristan Riddell, Anita McNamara, Vince Kolar, Bonnie Fogerty, and Marie Sickels.

Public: Clayton M. Braden, Karl Puckett, Dan O’Fallon, Susan Conell, Erin Schermele, Alicia Thompson, Dana Huestis, and Trever McSpadden.

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 with some corrections and additions.

APPROVED PURCHASE ORDERS AND ACCOUNTS PAYABLE

WARRANTS: Commissioner Briggs made a **MOTION** to approve purchase orders and accounts payable checks #225094 through #225332 totaling \$632,579.67 dated 11/30/2012 through 12/07/2012. Also approved purchase orders and accounts payable checks #225333 through #223634 totaling \$488,960.33 dated 12/10/2012 through 12/14/2012. In addition, payroll checks #68049 through #68314 were issued totaling \$1,183,236.51 for a payroll total of \$1,338,980.00 for the month of November. **Motion carries 3-0**

CONSENT AGENDA:

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

- ◆ **Resolution 12-83: Prosecutorial Assistance for Civil Attorneys**
- ◆ **Contract 12-169: High Intensity Drug Trafficking Area (HIDTA) Grant-Modification #3 Award #G11RM0039A Award Amount \$4,603.03** Grant Period January 1, 2011 – December 31,2012 refers to Contract 11-26 R0232694
- ◆ **Contract 12-170: High Intensity Drug Trafficking Area (HIDTA) Grant-Modification #4 Award #G11RM0039A Award Amount \$26,726.81** Grant Period January 1, 2011 – December 31,2012 refers to Contract 11--26 R0232694
- ◆ **Contract 12-171: High Intensity Drug Trafficking Area (HIDTA) Grant-Modification #5 Award #G11RM0039A Award Amount \$159,250.16** Grant Period January 1, 2011 – December 31,2012 refers to Contract 11-26 R0232694
- ◆ **Contract 12-176: Teton-Cascade County Joint Agreement providing maintenance of county roads and bridges**

City-County Health Department

◆**Contract 12-172: Memorandum of Understanding with the University of Great Falls. UGF permits the CCHD use of the UGF facilities and equipment for a temporary emergency response site (ERS)no cost to the County.**

◆**Contract 12-173: Montana Infectious Disease Information System (MIDIS) Memorandum of Agreement. The system will allow the CCHD to enter communicable disease case information and have a central location for data storage on disease investigations at no cost to the County.**

Motion carries 3-0

AGENDA ITEM #1

**MOTION TO APPROVE/DISAPPROVE CONTRACT 12-175
MONTANA EMS & TRAUMA SYSTEMS EMERGENCY MEDICAL
DISPATCH ALSO RESOLUTION 12-84 ADOPTING MONTANA
CRITERIA BASED DISPATCH GUIDELINES**

Vince Kolar presented this Contract and Resolution that will be used for all emergency medical dispatches in Cascade County.

Commissioner Briggs made a **MOTION** to approve Contract 12-175 Montana criteria based dispatch guidelines for emergency medical dispatch be adopted for use in Cascade County. This will also include the approval of Resolution 12-84 adopting Montana criteria based guidelines.

Motion carries 3-0

AGENDA ITEM #2

**MOTION TO APPROVE/DISAPPROVE CONTRACT 12-174
CASCADE COUNTY REGIONAL ADULT DETENTION CENTER
FOOD SERVICE CONTRACT WITH TRINITY SERVICES GROUP**

Dan O'Fallon gave the background, which can be found in Agenda Action Report dated December 18, 2012. Carey Ann Shannon also presented this contract stating that this will save the County around \$60,000 a year and although they had held the contract with Aramark since 1997, they felt that Trinity Services Group was the right selection.

Commissioner Salina made a **MOTION** to award Contract 12-174 the 60-month food services contract for Cascade County Regional Adult Detention Center to Trinity Services Group, Inc.

Motion carries 3-0

AGENDA ITEM #3

**MOTION TO APPROVE/DISAPPROVE COPPER BASIN MAJOR
SUBDIVISION FINAL PLAT APPLICATION**

Tristan Riddell presented this plat by reading the background, which can be found in Agenda Action Report dated December 18, 2012 which also included 21 conditions that have been met.

Commissioner Briggs made a **MOTION** to approve the Copper Basin Major Subdivision Final Plat subject to the applicant having met the 21 conditions of approval. **Motion carries 3-0**

AGENDA ITEM #4

MOTION TO APPROVE/DISAPPROVE THE PRELIMINARY PLAT OF THE AMENDED PLAT OF LOT 4, BLOCK 1 OF THE AMENDED PLAT OF LOT 3, BLOCK 1 OF THE AMENDED PLAT OF LOT 2, BLOCK 1 OF THE DIVISION ADDITION SUBDIVISION PLAT SUBSEQUENT MINOR SUBDIVISION

Anita McNamara presented this subdivision by reading the background found in Agenda Action Report dated December 18, 2012.

It was also noted that this would be a Public Hearing.

Public Hearing

Madam Chair Weber recessed the regular Commission meeting and opened the public hearing at 9:51 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 Anita McNamara presented this subdivision by reading the background found in Agenda Action Report dated December 18, 2012.

Call for Applicant

Madam Chair Weber called for the Applicant in which Trever McSpadden of 116 East Story, Bozeman, approached the Commission as a consultant for Morrison Maierle Inc. Mr. McSpadden stated that the Planning Department did a good job and the applicant agrees to all the conditions of approval.

Written Testimony Anita McNamara stated that there was no written testimony.

Call for Opponents

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

Call for Proponents

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

Informational Witnesses

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

Close of the Public Hearing

Madam Chair Weber closed the Public Hearing at 10:01 a.m.

Reconvene the Regular Commission Meeting

The regular commission meeting was reconvened at 10:02 a.m.

Call for a Motion

Commissioner Salina made a **MOTION** to conditionally approve the Amended Plat of Lot 4, Block 1 of the Amended Plat of Lot 3, Block 1, of the Amended Plat of Lot 2, Block 1 of the Division Addition Subdivision Plat Subsequent

Minor Subdivision, based on the findings of fact and conclusions of law within the staff report and subject the 9 conditions. **Motion carries 3-0**

AGENDA ITEM #5

MOTION TO APPROVE/DISAPPROVE RESOLUTION 12-71 TO AMEND THE CASCADE COUNTY ZONING REGULATIONS AND ZONING MAP

Anita McNamara read the background found in the Agenda Action Report #5 dated December 18, 2012. She added that there was no written testimony received in their office during the 30-day protest period but noted that one letter was received by the County Attorney's office.

Commissioner Briggs questioned the one written protest and stated that does not count as it was turned into the County Attorney's office instead of the Planning Department. In addition, if it was counted; it is an insufficient number of protests to stop the process.

Brian Hopkins clarified that to meet the sufficient amount of protests to stop the rezoning (according to MCA 76-2205) the amount of protests would have to be 40% of all agriculture property owners in Cascade County or 50% of all forestland in Cascade County.

Madam Chair Weber requested public comment:

Mr. Dana Huestis of KYSO Corporation 2901 4th Avenue North, Great Falls, MT, stated that he submitted a protest that was addressed to the Commission and not to the Cascade County Attorney and he questioned why it went to the County Attorney's office. Mr. Huestis did not agree that since it went to the County Attorney's office it was not a valid protest and stated he believes that it is a valid protest. He requested if anyone in the room had a copy of it of his protest, in which no one did. He also stated (for the record) that he felt that in his view; his protest was duly submitted to the Commission after a long line of protests that were accepted in the past.

Brian Hopkins suggested that Mr. Huestis resubmit a copy of his protest for the record and it will be acknowledged as a proper protest. (See exhibit "B" for letter of protest and letter of response from Brian Hopkins).

Madam Chair Weber called for a motion.

Commissioner Briggs made a **MOTION** to approve the final Resolution 12-71 to amend the Cascade County Zoning Regulations and Zoning Map.

Motion carries 3-0

AGENDA ITEM #6

MOTION TO APPROVE/DISAPPROVE CONTRACT 12-177 WITH GLACIER COMMUNITY HEALTH CENTER INC. (GCHC)

Brian Hopkins presented this program by giving the background found in Agenda Action Report #6 dated December 18, 2012. Madam Chair Weber also mentioned that the Clinic Board unanimously agreed on this contract.

Commissioner Salina made a **MOTION** to approve Contract 12-177 Contract with Glacier Community Health Center, Inc. to provide management level services to the Community Health Care Center on an interim basis.

Motion carries 3-0

AGENDA ITEM #7

MOTION TO APPOINT GREAT FALLS AIRPORT AUTHORITY BOARD MEMBERS

This board consists of seven members, four are appointed by the City Commission and the Cascade County Commission appoints three. Cascade County has two vacancies for three-year terms that will expire on December 31, 2015. Madam Chair Weber announced that Joe Tropila was requesting re-appointment for a second term and four other applicants applied; Debra Evans, Harvey Hampton, William (Jeff) Liston and Jesse McMurtry. In addition, Susan Humble is willing to serve again if needed. Commissioner Briggs thanked all the members of the Great Falls Airport Board stating that they have made vast progress and great changes.

Commissioner Briggs made a **MOTION** to appoint Joe Tropila for a second term and to appoint Debra Evans for a first term.

Motion carries 3-0

Madam Chair Weber echoed Commissioner Briggs comments on the progress of the Great Falls Authority Board.

AGENDA ITEM #8

MOTION TO APPOINT PLANNING BOARD MEMBERS

Madam Chair Weber announced that there are three openings on this Board with Leonard Lundby serving 4 terms equaling 12 years of service, Tim Wilkinson serving 2 terms equaling 8 years and Pete Fontana serving 2 terms equaling 8 years. In addition, the submitted applicants are Krista Briscoe, Mark Carlson, Katheryn Craig, Scott DeBrae, and Brian Ruckman.

Madam Chair Weber requested a motion in which Commissioner Salina made a **MOTION** to appoint Mark Carlson for a 1st term and Brian Ruckman for a 1st term and Pete Fontana for a 3rd term.

Brian Hopkins requested a confirmation from the Planning Department that Pete Fontana has served two terms. Susan Conell stated that Pete Fontana has only served 1 ½ terms on the Planning Board.

Commissioner Salina stated that Katheryn Craig and Scott DeBrae would not be eligible because they reside within the City limits.

Commissioner Briggs thanked Leonard Lundby and Tim Wilkinson for their years of service and agreed that they need to keep Pete Fontana for his knowledge and to help the new board members to learn the ropes.

Motion carries 3-0

AGENDA ITEM #9

MOTION TO APPOINT ZONING BOARD MEMBERS

Madam Chair Weber announced that Pete Fontana has served one term, Leonard Lundby has served 3 terms and Greg Ryder has served two terms. Scott DeBrae and Brian Ruckman are new applicants.

Commissioner Briggs stated that this Board is more than an advisory board with many of their actions going to District Court. He felt more comfortable tabling this motion since none of the new applicants do not have any background serving on the Planning Board. He requested the Planning Department speak with some Planning Board members that might be willing to serve.

Tristan Riddell questioned if the Commission would be comfortable in appointing someone for a quorum if needed.

There was further discussion on who could be appointed at this time.

Commissioner Salina made a **MOTION** to appoint Pete Fontana for a second term on the Zoning Board of Adjustments.

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.

Rudolf Tankink of 3620 9th Ave. N. questioned if a person on the Planning Board can also serve on the Zoning Board. Madam Chair Weber clarified that it is helpful for them to serve on the Planning Board first to learn the process and serve on the Zoning Board of adjustments.

John Watts of 2125 7th Ave. N. approached the Commission, stating that 2012 has been an interesting year; he also stated it was an honor to serve the Commission as videographer and he has appreciated the opportunity. He ended by wishing all a Merry Christmas and Happy New Year.

Madam Chair Weber stated that at the end of this year it has been wonderful opportunity to serve; as well as her fellow commissioners. She reminded us that in these troubled times to hold your children and family close and keep yourself tight and safe for a peaceful holiday season.

ADJOURNMENT: The meeting was adjourned at 10:25 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, January 2, 2013 at 2:00 p.m.