

CASCADE COUNTY COMMISSION MEETING
April 8, 2014
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 were officially approved at the April 22, 2013 meeting. All Exhibits can be found on record at the Clerk and Records office.

PRESENT:

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

Staff seated with Commission – Carey Ann Shannon, Susan Conell, Alicia Thompson, Susan Shannon, Bonnie Fogerty, and Marie Johnson.

Public: Jim Larson, Marc Bumgarner, Monica Ebart, Kim Hulten, Kim Thiel Schaaf, Jason Lehmann, Ryan Hitchcock, Andrew Finch, Karl Puckett, and John Watts.

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 and some revisions were made.

APPROVED PURCHASE ORDERS AND ACCOUNTS PAYABLE

WARRANTS: Commissioner Briggs made a **MOTION** to approve purchase orders and accounts payable checks #239715 through #239902 totaling \$1,252,908.64 dated 03/18/2014 through 03/21/2014. Approved purchase orders and accounts payable checks #239903 through #239036 totaling \$185,923.18 dated 03/24/2014 through 03/28/2014. Purchase orders and accounts payable checks #240037 through #240217 totaling \$582,412.95 dated 03/31/2014 through 004/04/2014. **Motion carries 3-0**

CONSENT AGENDA:

Commissioner Weber made a **MOTION** to approve the consent agenda and minute entries, and routine contracts as follows; *Minute entries approved were Commission meeting dated March 25, 2014, work session meeting dated March 19, 2014, and a special meeting March 24, 2014.*

- ❖ **Resolution 14-22:** Budget Appropriation within the Foster Grandparent Fund from the United Way Grant. Total Amount: \$2,123.
- ❖ **Resolution 14-24:** Budget Appropriation for the Aging and Disability Resource Center (ADRC) “No Wrong Door” Program. Contract #14221020008. Total Amount: \$18,578. (*Ref: Contract 14-11, R0287326*)
- ❖ **Contract 14-34:** Amendment Number 1 to Contract #14-027-21005-0

- ❖ Commodity Supplemental Food Program. Budget increase of \$3.00 to \$3.75 per client based on 860 clients. Effective March 1, 2014-September 30, 2014. (Ref: *Contract 13-01, R0267895*)
- ❖ **Resolution 14-25:** Budget Appropriation for the Commodities fund. Total Amount: \$4,515. (Ref: *Contract 14-34, Amendment #1, 14-027-21005-0*)
- ❖ **Resolution 14-26:** In the matter of approving a cancellation of penalty and interest, Parcel #9000292400.
- ❖ **Resolution 14-27:** Prosecutorial Assistance request in the case of State v. Mikatavage
- ❖ **Resolution 14-28:** Budget Appropriation for the CTEP City of Belt Sidewalks. Total Amount: \$2,097. (Ref: *CTEP Contract # 01-11-1*)
- ❖ **Contract 14-32:** Contract between MT Department of Public Health and Human Services (DPHHS) and Area VIII Agency on Aging. Purpose: To enhance and expand outreach activities to help beneficiaries understand and apply for Medicare benefits. Effective Dates: November 1, 2013-September 29, 2014. Total reimbursement may not exceed \$9,501.
- ❖ **Contract 14-33:** Notice of Grant Award, Retired & Senior Volunteer Program, Agreement #:12SRPMT012, Amendment #3. Budget Period: April 1, 2014-March 31, 2015. Grant Funding: \$105,628.
- ❖ **Contract 14-35:** Temporary Construction Easement, Willow Creek Road, MP 1.97 Easement rights shall terminate November 15, 2015 or upon completion of the construction project.
- ❖ **Contract 14-44:** Temporary Construction Easement, Belt Butte Cutoff Road, MP 1.75 Easement rights shall terminate November 15, 2015 or upon completion of the construction project.
- ❖ **Contract 14-42:** Energy West, 032414NASBECASC (*Renewal*) Aeco 7(A) price is an index price based an average of all the trades from the previous month. The index price will change from month to month based on those prices. Effective Dates: April 1, 2014-March 31, 2017 at Aeco 7(a), plus \$0.20.
- ❖ **Contract 14-43:** Agreement between the Sheriff's Office and Taser International. This is a five (5) year quote that reflects a discount for an upgrade program. Total 5 Year Cost: \$6,929.

- ❖ **City-County Health Department**
- ❖ **Resolution 14-20:** Budget Appropriation for the Public Health Emergency Preparedness fund due to unanticipated revenue. Total Amount: \$6,404. (Ref: *Contract 14-29*)
- ❖ **Resolution 14-21:** Budget Appropriation in the ACHIEVE fund due to unanticipated revenue for Get Fit Great Falls, Inc. Total Amount: \$56.40.

Resolution 14-23: Budget Appropriation to establish budget in the HIV Prevention fund. Total Amount: \$20,066. Ref: Contract 14-24, R0287914)
Motion carries 3-0

AGENDA ITEM #1

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-46 2014 update to the Great Falls Long Range Transportation Plan

Andrew Finch Transportation Planner for the Great Falls presented this final plan by reading his background and summarizing his report. See Agenda Action Report #1 dated April 8, 2014 for details. He thanked everyone involved in creating the 331 page document and stated he was happy that the non motorized walking and biking transportation. To view the Great Falls Area Long Range Transportation Plan -2014 Update <http://www.greatfallsslrt.com/Page4Documents.html> .

Commissioner Weber made a **MOTION** to approve the 2014 update to the Great Falls Area Long Range Transportation Plan and direct its representative on the Policy Coordinating Committee to vote accordingly. **Motion carries 3-0**

AGENDA ITEM #2

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-45 Memorandum of Understanding allowing use of county land for the Southside garden

This item was pulled for further review by the partner organization.

AGENDA ITEM #3

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-36 Montana State Fair for TESLA July 26, 2014 total amount \$45,000

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Weber made a **MOTION** to approve Contract 14-36 for the performance of TESLA at the Montana State Fair on July 26, 2014. **Motion carries 3-0**

AGENDA ITEM #4

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-37 Montana State Fair for David Nail July 28, 2014 total amount \$25,000

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Briggs made a **MOTION** to approve Contract 14-37 for the performance of David Nail at the Montana State Fair on July 28, 2014. **Motion carries 3-0**

AGENDA ITEM #5

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-38 Montana State Fair for Maggie Rose July 28, 2014 total amount \$7,500

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Weber made a **MOTION** to approve Contract 14-38 for the performance of Maggie Rose at the Montana State Fair on July 28, 2014. **Motion carries 3-0**

AGENDA ITEM #6

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-39 Montana State Fair for Jake Owen July 30, 2014 total amount \$150,000

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Weber made a **MOTION** to approve Contract 14-39, for the performance of Jake Owen at the Montana State Fair on July 30, 2014. **Motion carries 3-0**

AGENDA ITEM #7

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-40 Montana State Fair for Old Dominion July 30, 2014 total amount \$2,500

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Briggs made a **MOTION** to approve Contract 14-40 for the performance of Old Dominion at the Montana State Fair on July 30, 2014. **Motion carries 3-0**

AGENDA ITEM #8

MOTION TO APPROVE/DISAPPROVE CONTRACT 14-41 Montana State Fair for Restless Heart August 1-2, 2014 total amount \$25,000

Susan Shannon Acting ExpoPark General Manager presented this upcoming artist to perform at the Montana State Fair.

Commissioner Weber made a **MOTION** to approve Contract 14-41 for the performance of Restless Heart at the Montana State Fair on August 1, and August 2, 2014. **Motion carries 3-0**

AGENDA ITEM #9

MOTION TO APPROVE/DISAPPROVE 3 YEAR EXTENSION FOR BEST VIEW ADDITION II

Susan Conell Cascade County Planner, presented this 3 year extension requested by Betty Bestwina Owner and Developer. She read the synopsis (see Exhibit A) and reminded the Commission that according to Montana Code they are allowed to honor more than one extension. (MCA 76-3-610)

Jason Lehmann had comments concerning this subdivision and questioned if the DEQ had approved this since the regulations have changed. He requested that the Commission deny this request so it can go back to DEQ for approval.

There was discussion amongst the Commissioners, and Susan Conell about DEQ approval and the drainage ditch. It was decided that when this subdivision goes to final approval it would have to go back through DEQ for approval and also the Commission.

Monica Ebert stated that she is a resident in the Best view I subdivision and that the drainage ditch was not approved by DEQ.

Commissioner Briggs made a **MOTION** to **conditionally approve** an extension of **three** years for filing of the Final Plat of the Best View Addition II Major Subdivision located within Section 20, Township 20 N, Range 4 E, P.M.M, Cascade County, Montana, subject to the same conditions. **Motion carries 3-0**

AGENDA ITEM #10

MOTION TO APPROVE/DISAPPROVE 50 MINI STORAGE UNITS

Susan Conell Cascade County Planner, presented these 50 Mini Storage Units by reading the background on this item (see Exhibit B). This application will expand Mr. Volks existing mini storage business.

Commissioner Weber made a **MOTION** to approve, after consideration of the Staff Report, that the proposed mini-storage structure with fifty (50) units be **approved** subject to the following conditions:

1. The applicant shall obtain any necessary addresses from the 911 addressing office.
2. The applicant shall obtain any necessary final approach permits from the Road and Bridge Division.
3. The applicant must obtain any other required Federal, State or County permits and comply with the regulations associated with any other permits.

Motion carries 3-0

AGENDA ITEM #11

MOTION TO APPROVE/DISAPPROVE FINAL PLAT OF THE DIVISION ADDITION SUBDIVISION

Susan Conell Cascade County Planner, presented this Final Plat of Division Addition requested by Mitchell Development / ASI. Susan read the synopsis (see Exhibit C) of this subdivision that will create two additional lots.

Commissioner Briggs made a **MOTION** to approve the Final 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 Subsequent Minor Subdivision having met the nine (9) conditions. **Motion carries 3-0**

AGENDA ITEM #12

MOTION TO APPROVE/DISAPPROVE FINAL ZONING FOR RANCHES AT BELT CREEK SUBDIVISION

Susan Conell Cascade County Planner, presented this Final Zoning Resolution for Ranches of Belt Creek requested by Mark Hawn of Trophy Property Development. Susan Conell read the synopsis (see Exhibit D).

Commissioner Weber made a **MOTION** to approve the Final Resolution to rezone that portion of the Ranches of Belt Creek Subdivision as depicted on accompanying map located in the E1/2, SE1/4,SE1/4, of Section 12, and the E1/2 of Section 12, and the E1/2, of Section 13, Township 19 North, Range 6 East and SW1/4, SW1/4, of Section 7 and the NW 1/4, SW 1/4, and the W1/2 E1/2 of Section 18 and the NE1/4, NW1/4 and the NW1/4,NE1/4 of Section 19, Township 7 East, P.M.M. Cascade County, MT from "A" Agriculture District to ("R-5")Rural Residential 5 acre minimum lot size. **Motion carries 3-0**

AGENDA ITEM #13

PUBLIC HEARING

PETITION TO ABANDON A PARTION OF A COUNTY ROAD ENGER CUTOFF ROAD

(Public Hearing)

Chairman Salina recessed the regular Commission meeting an opened the public hearing at 10:30 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 F).

Staff Presentation

Susan Conell Cascade County Planner, presented this by reading the synopsis found in the Action Agenda Report dated April 8, 2014 (see Exhibit E).

Call for the Applicant

Marc Bumgarner approached the Commission to thank them for considering their request. He stated that their old access has been land locked and they are unable to use it, he also informed the Commission that he will take care of the snow removal.

Written Testimony

Chairman Salina called for Written Testimony in which there was none.

Call for Proponents

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

Call for Opponents

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

Informational Witnesses

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

Close of the Public Hearing

Chairman Salina closed the Public Hearing at 10:28 a.m.

Reconvene the Regular Commission Meeting

The regular commission meeting was reconvened at 10:29 a.m.

Call for a Motion Commissioner Briggs made a **MOTION** to approve to abandon the southernmost portion of Enger Cutoff Road subject to three conditions. **Motion carries 3-0**

AGENDA ITEM #13

INOVATION AWARD PRESENTATION

Alicia Thompson Health Officer of the City/County Health Department presented the Board of County Commissioners with 2014 Bike Walk Montana Innovation Award. She presented this award on behalf of the Cascade City/County Health Department and its employees (see Exhibit G). This Innovation of the Year Award is in recognition of the ELF, a truly innovated way to replace aging gas powered fleet vehicles. Alicia Thompson thanked the Commission for their support in purchasing the ELF.

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 were made.

ADJOURNMENT: The meeting was adjourned at 10:30 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, April 16, 2014 at 2:00 p.m.