

**Commissioner
Minutes
Journal # 55**

**CASCADE COUNTY COMMISSION MEETING
May 26, 2015
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 June 9, 2015 meeting.

Present: Madam Chair Jane Weber, Commissioner Jim Larson Commissioner Joe Briggs.
Staff: Carey Ann Shannon, Charlie Stanfield, Jim Ekberg, Mary Swenson, Tonya Houston, Trista Besich, Bob Edwards, Andrew Bigeland **Public members;** Peter Johnson, Randy Gray, and John Watts.

Reading of the Commissioners calendar: Bonnie Fogerty, read the weekly calendar.

Purchase orders and accounts payable warrants: Commissioner Larson made a **MOTION** to approve the purchase orders and accounts payable warrants. Approved purchase orders and accounts payable checks #252284 thru #252437 totaling \$137,189,84 dated 05/04/2015 thru 05/08/2015. **Motion carries 3-0**

Treasurers' monthly report of bank balances; Investments, revenues, and disbursements- Mary Swenson read this report which can be found in this agenda packet dated May 26, 2015.

Consent agenda: The consent agenda is made up of routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for further discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Briggs made a **MOTION** to approve the minute and minute entries found in this Agenda Packet and the approval of routine contracts as follows; Minutes approved were dated April 10, 2015, May 6th, 12th and 14th, 2015.

♦ **Resolution 15-28:** Budget Appropriation within the Aging Department to establish budget for the Older Americans Act contract. Total Amount: \$5,000. (Ref: Contract 15-36, R0214666) **R0306671**

♦ **Resolution 15-30:** A resolution to repeal Resolution 11-29 establishing a Compensated Absence Liability Fund (CALF). (Ref: Resolution 11-29, R0232683) **R0306771**

♦ **Resolution 15-31:** A resolution to repeal Cascade County Operations Manual Policy #270.1 concerning the establishing of Reserves (fund balance) - Governmental Funds (Ref: Policy 270.1, R0214666) **R0306772**

♦ **Resolution 15-32:** Budget Appropriation within the Aging Department to establish budget for the Older Americans Act SHIP contract. Total Amount: \$2,500. (Ref: Contract 15-36, R0214666) **R0306774**

♦ **Contract 15-43:** Memorandum of Understanding between the State of Montana, Office of Court Administrator (OCA) the 8th Judicial District Youth Court Services and Cascade County Regional Youth Services. Effective: May 1, 2015 - June 30, 2016. Purpose: Transportation services provided when youth need supervised transportation by car, plane or other transport service.

Total payment may not exceed: \$15,000. **R0307234**

♦ **Contract 15-44:** The Office Center Equipment Service Contract ID #1770 for three printers at the Sheriff's Office. Estimated Monthly Charge: \$110. **R0307410**

◆ **Contract 15-45:** The Office Center Equipment Service Contract ID #1804 for TASKalfa 250ci copy machine for the DES Office. Estimated Monthly Charge: \$45. **R0307411**

◆ **Contract 15-48:** County designation for earmarked alcohol tax monies for State-Approved Chemical Dependency Service Provider, **R0306768**
Gateway Community Service, 100% of allocated funds.

◆ **Contract 15-49:** Access and Location Agreement by and between Super box Television, LLC and Cascade County and the Cascade County Sheriff's Office in connection with a television series with the tentative working title "FAIR COPS". Filming of the Series is anticipated to take place from July 24-August 1, 2015 subject to mutual agreement between the Parties. **R0307546**

CITY/COUNTY HEALTH DEPARTMENT

◆ **Contract 15-46:** Task Order 16-07-5-01-007-0 MT DPHHS Maternal & Child Health Block Grant Program. Purpose: To provide maternal and child health service as described in the Contractor's 2016 pre-contract survey for women and children under the age of 22. Effective Dates: July 1, 2015-June 30, 2016. Total Amount: \$86,895. Local Match: \$65,171.25. **R0307960**

◆ **Contract 15-47:** Internship Affiliation Agreement with National University, a California nonprofit, public benefit corporation for intern students to receive training at the City-County Health Department. (No cost to the County.) Effective Dates: April 20, 2015-April 20, 2018 **R0307593**

COMMUNITY HEALTH CARE CENTER

◆ **Resolution 15-33:** Budget Appropriation for the HRSA Base Funding Grant, 2014-2015. Total Increased Amount: \$25,726. (Ref: Contract 15-39, HRSA Notice of Award H80CS00566-13-01) **Motion carries 3-0 R0306670**

AGENDA ITEM #1

Resolution 15-29

Resolution 15-29: Resolution of Intent and Subsequent Approval of Final Zoning Resolution. The rezone of approximately 5 acres, Parcel # 2615800, Geocode: 3016-04-4-14-61, located within Section 4, Township 20N, Range 4E, P.M.M., Cascade County, Montana from "SR-1" Suburban Residential 1 to "C" Commercial. Initiated by: 1x4 LLC

R0306770

Charlie Stanfield, Planning Department, read the synopsis of this rezone which can be found in the Agenda Report dated May 26, 2015.

He also read a statement that is attached as Exhibit "A". This is a statement the Commission requested that he prepare explaining why this rezone is not spot zoning.

Madam Chair Weber asked Charlie Stanfield to indicate on the map the location of the requested rezone parcel and its proximity to Bundi Gardens, a commercial operation adjacent to the parcel and other commercial properties in the area.

Commissioner Briggs also pointed out that this parcel previously had significant community decay which was removed to improve the site. He also requested the record reflect the fact that the Commission reviewed and concurred with the staff report and findings, specifically those confirming this zoning change does not constitute spot zoning and that adjoining and nearby commercial properties are in the vicinity.

Randy Gray, 2114 3rd Avenue North, Great Falls, MT approached the Commission with three (3) concerns about this rezoning request, all related to the potential future commercial development of a storage facility: 1) water runoff from future hardened surfaces

could potentially flow onto his adjoining property to the east and/or fill the existing roadside ditch on the south side of 10th Avenue North and possibly undermining the road edge, 2) if a storage site is developed and valued items are kept on the premises it is assumed that bright lighting to deter theft or damages to the items would detract from the existing residential area; and 3) Mr. Gray requested that a requirement for landscaping be considered along the fence line between his property (east of this parcel) and Ms. Fisher's property.

Charlie Stanfield stated that when commercial property abuts residential that there are strict about making sure that there is a buffer.

Randy Gray questioned who would address the water runoff regulations, he was informed that DEQ would need to issue them storm water permits.

Commissioner Weber likened this zoning request to a similar one approved several years earlier north of town near the water tower. Commissioner Briggs concurred and stated that rezoning was even closer to residential properties.

Commissioner Larson made a **MOTION** to approve the zone change request submitted by 1x4 LLC to rezone approximately 5 acres located within Section 4, Township 20 North, Range 4 East, P.M.M. Cascade County, Montana (Parcel #2615800) from Suburban Residential 1 to "C" Commercial be approved.

Motion carries 3-0

AGENDA ITEM #2

Contract 15-50 Bid Award: Flood Road Roadway Overlay Contract to United Materials. Bid Price: \$788,189.90. This includes acceptance of Contract #15-50: United Materials Inc., Flood Road Surfacing Repairs, and (TD&H Engineer Project #14-192) **R0306769**

Jim Ekberg presented this item by reading the synopsis which can be found in Agenda packet dated May 26, 2015.

Commissioner Briggs requested more information on the roadway overlay Flood Road project.

Jim Ekberg stated that they would be resurfacing 1.8 miles of Flood Road and crack & chip seal of 5.7 miles of Flood Road and Woodland Estates Road.

Commissioner Larson made a **MOTION** to award United Materials the contract for the total bid of the price of \$788,189.90. **Motion carries 3-0**

AGENDA ITEM #3

CASCADE COUNTY BOARD APPOINTMENTS

Commissioner Larson made a **MOTION** to reappoint Tom Paliga and Rory Peck to the Black Eagle Fire District with term expiring in May 31, 2018. **Motion carries 3-0**

Commissioner Briggs made a **MOTION** to reappoint the below listed Fire Service Areas members;

Belt Fire Service Area – Joe Broesder, and Eugene Cantley
Black Eagle Fire Service Area- John Blanchard, and Anton Speck
Cascade Fire Service Area – Brent McCann
Dearborn Fire Service Area – Louise Chinadle, and Lois Watson
Sand Coulee Fire Service Area – Gary Pond
Simms Fire Service Area – Ed Wheeler, and Linda Schott
Ulm Fire Service Area – Jill MacGillivray, and Patrick Parker
Vaughn Fire Service Area – John Ball, Jan Garrison, and Darryl Nielsen
with all terms to expire on May 31, 2018. **Motion carries 3-0**

Commissioner Briggs made a **MOTION** to appoint David Paquette and reappoint Bruce Wallace to the Fort Shaw Fire Service Area with term expirations on May 31, 2018. He also thanked Jason McKinley for his (3) terms of service. **Motion carries 3-0**

Commissioner Larson made a **MOTION** to appoint Howard Schneider to the Gore Hill Fire Service Area with a term expiring May 31, 2018. **Motion carries 3-0**

The Commission agreed that it was very difficult to choose members when there were many applicants, and they thanked the others who were gracious enough to step up and volunteer.

Commissioner Briggs made a **MOTION** to appoint Candy Cunniff, and Wes Holzheimer to the Monarch Fire Service Fee Area with the term expiring May 31, 2018. **Motion carries 3-0**

Commissioner Larson made a **MOTION** to appoint Ryan Butler and reappoint Gary Pond to the Sand Coulee Fire Service Area with a term expiring on May 31, 2018. **Motion carries 3-0**

Commissioner Briggs made a **MOTION** to appoint to Simms Fire Service Area John Bennett, and reappoint Ed Wheeler and Linda Schott with their terms ending May 31, 2018. **Motion carries 3-0**

Public Participation in decisions of the Board and allowance of public comment on matters the Commission has jurisdiction, on items not covered by Today's agenda. None

Adjournment: Madam Chair Weber adjourned this Commission meeting at 10:18 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 that will be held on Wednesday June 3, 2015, at 2:00 p.m.