

CASCADE COUNTY COMMISSION MEETING
January 28, 2020
COMMISSION CHAMBERS
COURTHOUSE ANNEX, ROOM 111
9:30 A.M.

Commission
Journal #60

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Recorders Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in red, and will direct you to the precise location should you wish to review a specific agenda item audio segment. These are in draft form until officially approved on February 11, 2020.

Commission: Chairman James L. Larson and Commissioner Jane Weber and Commissioner Joe Briggs

Staff: Cory Reeves – Undersheriff, Sandor Hopkins – Interim Planning Director, Carey Ann Haight – Deputy County Attorney, Denise Johnson – Deputy Treasurer, Rina Fontana Moore – Clerk & Recorder, Tanya Harshaw – DES Office, Mary Embleton – Budget Officer, Bonnie Fogerty – Commission Office and Kyler Baker – Deputy Clerk & Recorder.

Public: Al Rollo, Deb Eve, Tony Spek III, Jesse Oldham, Bruce Wallace, Vanisko Daniel, Sharon L, Travis Johnson, John Romenesko, Joyce Davis, Leonard Lundby, Charles Rogers, Tom Horton, Doug Ormseth, Jean Clary, Carol Strom, Marvin Strom, Craig Askeland, Amanda Russell, Gale Brener Morgan, Bob Morgan, Jim Hoxter, Ray Eklund, Nick Brown, Gene Cantley, Jenn Rowell, and Karl Puckett.

Call to Order: Chairman Larson called the meeting to order.

Reading of the Commissioners' calendar: Bonnie Fogerty read the calendar. **00:22**

Purchase orders and accounts payable checks: *See agenda for payment information.* Commissioner Weber made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 2-0 04:27**

Consent agenda: Routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for separate discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Briggs made a **MOTION** to (A) Approve minute entries (January 14, 2020; January 15, 2020; January 22, 2020) **07:00** (B) Approval of Routine Contracts as Follows:

Consent Agenda

Resolution 20-05: A resolution amending the headstone allowance for eligible Cascade County resident Veterans. Headstone Allowance: \$100.00 (*Ref: Resolution 13-96, R0283968*) **07:10**

Contract 20-05: Cooperative Law Enforcement Agreement Annual Operating Plan & Financial Plan between the Cascade County Sheriff's Office and the USDA, Forest Service Helena-Lewis & Clark National Forest. Agreement #18-LE-11015600-029 MOD 002. (2020 Annual Plan) Effective until December 31, 2020. Total Amount: \$3,500.00 (*renewal*) **07:32**

Contract 20-06: Sales Contract between James Harris from Cookeville, TN and Cascade County. Purpose: Purchasing “Dutch” a German Shepherd dog for the purpose of narcotics detection in Cascade County. Expected Delivery: March 2, 2020. Total Cost: \$8,950.00 (Funded by: Sheriff’s Legacy Foundation) **08:07**

Contract 20-07: 2020 Montana Internet Crimes Against Children Task Force Grant Award Grant Number: 2018-MC-FX-K006. Funding Cycle: October 1, 2019 – September 30, 2020. Total Reimbursable Amount: \$6,788.00 This is “Year 2” of a 3 year continuation grant.

08:39

Motion carries 2-0 09:29

AGENDA ITEM # 1 09:36

Motion to Approve or Disapprove:

Resolution 20-04: A Resolution Adopting Policy 20-01 regarding Fire Board Trustee Appointments. (Tabled: January 14, 2020 Commission Meeting)

Carey Ann Haight, Deputy County Attorney, elaborates. **10:27**

Chairman Larson states he does not like the fact that this resolution ties the hands of the Commission of who can be appointed. **12:22**

Commissioner Briggs thanks everyone for their past comments and that it opened up very good discussion stating he also agrees with Commissioner Larson and does not want to cripple the fire districts. Commissioner Briggs states he would like to modify the policy by changing: (STATE) **13:02**

Commissioner Weber said this is a good policy, also stating she has received phone calls from fire fighters as well as residents stating they have concerns. Commissioner Weber also stated that she welcomes Commissioner Briggs’ modification. **14:19**

Commissioner Larson agrees that the policy has the right feel to it but that it ties the Commissioners hands when is comes time to appoint. **16:22**

Commissioner Weber stated that it can be interesting when a firefighter is actually the Chairman and that the advertisement for open board positions needs to be improved so that people can be engaged. **17:05**

Commissioner Briggs made a **MOTION** to approve Resolution 20-04: A Resolution Adopting Policy 20-01 Regarding Fire Board Trustee Appointment and Term Eligibility with modification to Section #3 as follows: So as to avoid a conflict of interest created by a personal interest that could give rise to an appearance of impropriety, it is preferable that the appointee not concurrently be an employee or volunteer firefighter of the district. **18:53**

Commissioner Weber states that this softens the policy but does not require it and asks if the other commissioners would entertain the proposal of the chairman not be a firefighter and that the chief not be a trustee. **19:57**

Commissioner Larson states that when the commission appoints someone, they have no idea and no control if the person becomes chairman or not. **21:37**

Commissioner Briggs states maybe there should be verbiage along the lines of “this is of particular importance in terms of the chief.” **22:22**

Carey Ann Haight, Deputy County Attorney, reads the amended section also stating that it would be applied to the districts and the service areas. **23:53**

Commissioner Briggs made an amendment to the **MOTION** to read: So as to avoid a conflict of interest created by a personal interest that could give rise to an appearance of impropriety, it is preferable that the appointee not be the chief of the fire district or fee service area and not concurrently be an employee or volunteer firefighter of the fire district or fee service area. **25:20**

Rina Fontana Moore clarified that this policy would not override an election. **26:18**

Gene Cantley, 7179 US Highway 89, Belt, commented. **27:22 – 37:17**

Craig Askeland, PO Box 3, Fort Shaw, commented. **37:31 – 44:57**
Debra Eve, 2612 Rainbow Dam Road, commented. **45:15 – 50:35**
Leonard Lundby, 101 Manchester Lateral, commented. **50:54 – 54:24**
John Romanesko, 1815 Tiger Butte Road, Belt, commented. **54:53 – 1:02:47**
Ray Eklund, 106 Cove Lane, commented. **1:04:02 – 1:11:31**
Rina Fontana Moore, Clerk & Recorder, commented about the filing process and election process for fire districts. The closing date of filing is February 10, 2020 at 5:00 pm. **1:11:49**
Commissioner Weber stated that she will be voting in opposition of the policy. **1:12:59**
Motion fails 3-0 1:16:42

AGENDA ITEM #2 1:17:48

Motion to Approve or Disapprove:

Final Plat Approval

Rolling Meadows Phase 3 Major Subdivision

Location: Lots 2, 3, 4 & Part of Lot 5 in the SW ¼ of Section 32, T20N, R2E, P.M.M.

Cascade County, MT *Initiated by: Bob & Gale Morgan, Bonesteel, LLC*

Sandor Hopkins, Interim Planning Director, elaborates. **1:18:13**

Commissioner Weber asks Sandor Hopkins to show the public on the map. **1:24:29**

Commissioner Weber made a **MOTION** that the Commission after consideration of the Staff Report and Findings of Fact approve The Final Plat for Rolling Meadows Phase 3 major subdivision due to the nineteen (19) conditions being met. **1:26:07**

Motion carries 3-0 1:26:35

AGENDA ITEM #3 1:26:51

Motion to Approve or Disapprove:

Presentation: Fox Farm State Lands

Al Rollo gives presentation. (*See Exhibit A*) **1:26:59 – 2:11:45**

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. (MCA 2-3-103)

Public Comment: None.

Adjournment: Chairman Larson adjourned this Commission Meeting at **11:42 a.m.**