

CASCADE COUNTY COMMISSION MEETING
June 21, 2022
Via Zoom and Conference room attendees
9:30 A.M.

Commission
Journal #62

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 Records 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 were officially approved on July 12, 2022.

Commission : Chairman Joe Briggs, Commissioner James Larson, and Commissioner Don Ryan.

Staff: Carey Ann Haight- Deputy County Attorney, Phoebe Marcinek- Deputy County Attorney, Paige Smith- Tax Supervisor Treasurer's, Bonnie Fogerty-Commission, Michelle Bruner -Deputy Clerk & Recorder, Haransh Singh- County Attorney Intern, Office, Mary Embleton - Budget Officer. Attended via Zoom: Jennifer Quick- Deputy County Attorney and Abigail Hill- Public Health Officer,

Public: Ben Forsyth, Jan Wenaas, Geraldine Jambretz, Traci Rosenbaum, Devereaux Biddick, Tammie Coster, Michael Jambretz, Frank Vostems, Beverly Tuttza, Corri Wrohal, and Brett Doney (GFDA). Attended via Zoom: Jenn Rowell (The Electric), Rae Grulkowski, Steven Vinnedge, Thomas Wylie (KRTV), Britney Bieroth and Latricia Pilbin.

Call to Order : Chairman Briggs called the meeting to order. **00:01**

Reading of the Commissioners ' calendar: Bonnie Fogerty read the calendar. **00:12**

Purchase orders and accounts payable checks: See agenda for payment information. Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 3-0 02:01**

Treasurers Report: Paige Smith read this report. **04:05**

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 Larson made a **MOTION** to (A) Approve minute entries June 7, 2022, June 9, 2022, June 14, 2022, and June 15, 2022. (B) Approval of Routine Contracts as Follows: **07:16**

Resolution 22-43: Prosecutorial Assistance from the Office of the Montana State Auditor, Commission of Securities, and Insurance, in the prosecution of State of Montana vs. Jo Dee Lynn Peck a/k/a Jody Peck. **07:51 R0431844**

Contract 22-69: Collective Bargaining Agreement by and between Teamsters Local Union #2 and Cascade County Aging Services. Effective: July 1, 2021 - June 30, 2023. **08:03 R0431845**

Contract 22-70: MT DPHHS Contract #22027210050, Amendment #1 with Area VIII Agency on Aging Services for Commodities Supplemental Food Program. Reimbursement will change from \$4.20/per client to \$5.00/per client. Total Amount not to exceed: \$25,801 through September 30, 2022. **08:15 NR**

Contract 22-72: Contract to Engage Dorsey & Whitney, LLP as Bond Counsel Relating to the Touro College and University System Obligated Group Revenue Bonds Series 2022A. (Ref: Resolution 22-35, Resolution 22-33). **08:34 R0431757**

Contract 22-73: Civility Partners Training Agreement for the County Attorney's Office. Cost: \$5,500. **09:14 R0431847**

Contract 22-77: Amendment #3 to MT DPHHS Services Agreement 22-221-13008-0 Older Americans Act, SHIP, MIPPA Programming. This adjusts the budget across various titles to match the State Office on Aging's final budget for FY2022, ending June 30, 2022.

(Ref: Contract 21-132, R0419123, Contract 21-174 #1, R0421743 & Contract 21-181 #2, R0424351). **09:37 NR**

Resolution #22-42 : Budget Appropriation with Older Americans programs due to the final budget adjustments by the State Office on Aging. Total Increase: \$33,440

(Ref: Contract 22-77, Modification #3) **09:53 R0431843**

CITY/COUNTY HEALTH DEPARTMENT

Resolution #22-41: Budget Appropriation within the Maternal and Child Health Fund #2973 for SC involuntary funding. Total Amount: 17,700

(Ref: Contract 21-125, R0417345) **11:23 R0431843**

Contract 22-68: MT DPHHS Task Order 22-25-5-41-167-0, Amendment #2 Healthy Montana Families program. Effective: June 1, 2022. Funding Increase: \$51,729 Total Amount:

\$334,050.50 (Ref: Contract 21-154, R0420012 & Contract 21-187, R0424495) **11:32 NR**

Contract 22-71: Memorandum of Understanding between Cascade County and Great Falls Public Schools (GFPS). GFPS has designated selected school facilities and equipment for temporary response sites in order to conduct operations for Cascade County emergency response activities. Effective: Date of Signing until terminated by either party. **11:54 R0431846**

Contract 22-76: MT DPHHS Task Order #23-07-4-31-106-0 Immunization Program. Purpose: To reduce the burden of vaccine preventable disease by ensuring the oversight and provision of immunization services for children, adolescents, and adults. Effective: July 1, 2022 - June 30, 2023. Total Amount: \$33,133 **12:49 R0432272**

Motion carries 3-0 to approve items on the consent agenda 14:22

CONSENT AGENDA

Agenda Item #1

Public Hearing for Resolution 22-37: A Resolution Approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Starry Night Hospitality, LLC's Existing Commercial Building formerly known as the Greystone Inn at 621 Central Avenue and legally described as Great Falls Original Townsite, Lots 8-9, Block 317, Section 12, Township 20 North, Range 3 East, PMM Cascade County Montana. (Ref: City of Great Falls: Resolution 10452) Presented by: Carey Ann Haight- Deputy County Attorney **14:46 R0431838**

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 9:46 a.m.

Open the Public Hearing: Chairman Briggs opened the Public Hearing at 9:47 a.m.

Waived Reading of Public Notice: The reading of the Public Notice was waived without objection. **15:39 (See Exhibit A)**

Staff Report: Carey Ann Haight- Deputy County Attorney, provides Staff Report. **15:51 - 19:14**

Call for Proponents: Chairman Briggs called for Proponents.

Brett Doney, of Great Falls Development Authority, 405 3rd St NW, commented. **21:03**

Call for Opponents: Chairman Briggs called for Opponents, three times with no response. **21:11**

Call for Informational Witnesses: Chairman Briggs called for Informational Witnesses, three times with no response. **21:12**

Close to Public Hearing: Chairman Briggs closed the Public Hearing at 09:53 a.m.

Resume Regular Commission Meeting: Chairman Briggs re-opened the Commission Meeting at 09:53 a.m.

Call for Motion:

Commissioner Don Ryan made a **MOTION** that the Cascade County Commission approve

Resolution 22-37: A Resolution Approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Starry Night Hospitality, LLC's Existing Commercial Building formerly known as the Greystone Inn at 621 Central Avenue and legally described as Great Falls Original Townsite,

Lots 8-9, Block 317, Section 12, Township 20 North, Range 02 East, PMM Cascade County Montana. (Ref: City of Great Falls: Resolution 10452) **21:53**
Discussion by Commissioners **22:27**
Questions or Comments by staff- Staff Clarification by Carey Ann Haight- Range is 3E **22:36**
Comments by the public on the motion made- None **22:49**
Motion carries 3-0 22:51

Agenda Item #2

Public Hearing for Resolution 22-38: A Resolution Approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of CMSC, LLC (DOC-Great Falls Holding, LLC)'s Existing Commercial property located at 3010 15th Avenue South, Great Falls, Montana. (Ref: City of Great Falls: Resolution 10453) Presented by: Carey Ann Haight- Deputy County Attorney **22:59 R0431839**

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 9:55 a.m.

Open the Public Hearing:

Chairman Briggs opened the Public Hearing at 9:55 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **23:52 (See Exhibit B)**

Staff Report: Carey Ann Haight- Deputy County Attorney, provides Staff Report. **24:05 - 26:54**

No written testimony 26:55

Call for Proponents: Chairman Briggs called for Proponents. **27:01**

Brett Doney, of Great Falls Development Authority, 405 3rd St NW, commented. **27:24**

Call for Opponents:

Chairman Briggs called for Opponents, three times with no response. **28:00**

Call for Informational Witnesses:

Chairman Briggs called for Informational Witnesses, three times with no response. **28:17**

Close to Public Hearing: Chairman Briggs closed the Public Hearing at 10:00 a.m.

Resume Regular Commission Meeting:

Chairman Briggs re-opened the Commission Meeting at 10:00 a.m.

Call for Motion:

Commissioner James Larson made a **MOTION** that Cascade County Commission approve

Resolution #22-38: A Resolution Approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of CMSC, LLC (DOC-Great Falls Holding, LLC)'s Existing Commercial property located at 3010 15th Avenue South, Great Falls, Montana. **28:45**

Discussion by Commissioners- None **29:20**

Questions or Comments by staff- None **29:24**

Comments by the public on the motion made- None **29:33**

Motion carries 3-0 29:40

Agenda Item #3

Motion to Approve or Disapprove Resolution 22-36: A resolution cancelling all real estate taxes and personal property taxes contained in the tax deficiency lists for real estate, personal property and mobile homes. Total Amount for Cancellation: \$74,633.31 Presented by: Paige Smith- Tax Supervisor Treasurer's Office **30:08 R0431776**

Commissioner James Larson made a **MOTION** that the Commission approve **Resolution 22-36:** A list of tax deficiency properties as an accurate and complete list that meets all statutory requirements set forth in MCA #15-16-701 and 15-24-212 and there by order cancellation of all personal property taxes and contractual obligations contained in the list or lists and cancel any real property taxes by order. **32:24**

Discussion by Commissioners Don Ryan commented **33:10**

Questions or Comments by staff- None **35:08**

Comments by the public on the motion made- None **35:15**

Motion carries 3-0 35:22

Agenda Item #4

Motion to Approve or Disapprove Modification to Existing Governing Body Agreement
Contract 22-74 (Option A): Amendment No. 2 to Agreement between the City of Great Falls and Cascade County concerning the City-County Health Department presented by the City of Great Falls. (Ref: Contract 21-180, R0421687)

Presented by: Carey Ann Haight- Deputy County Attorney **35:33 R0431758**

Contract 22-74 (Option B): Amendment No. 2 to Agreement between the City of Great Falls and Cascade County concerning the City-County Health Department presented by the Cascade County Attorney's Office. (Ref: Contract 21-180, R0421687)

Presented by: Carey Ann Haight- Deputy County Attorney **36:39**

Discussion by Commissioners **42:30-46:16**

Questions or Comments by staff- Carey Ann Haight requests the board reject Contract 22-74 (Option A) and that the board approve Contract 22-74 (Option B) **49:52**

Commissioner James Larson made a **MOTION** that the County Commission disapprove

Contract 22-74 (Option A) . **51:00**

Discussion by Commissioners- None **51:20**

Questions or Comments by staff- None **51:46**

Comments by the public on the motion made:

Ben Forsyth, 3301 9th Street NE, Great Falls **51:58-54:45**

Motion carries 3-0 54:58

Commissioner Don Ryan made a **MOTION** that the Commission approve **Contract 22-74 amendment to (Option B) agreement** which amends the 1975 agreement which establishes the governing body of the board of health. **55:25**

Discussion by Commissioners- None **55:43**

Questions or Comments by staff- None **55:44**

Comments by the public on the motion made- None **55:50**

Motion carries 3-0 55:59

Agenda Item #5

Motion to Approve or Disapprove **Resolution 22-39:** A Resolution Presenting to Qualified Electors of Cascade County the Question of a 3% Local-Option Medical Marijuana Excise Tax Pursuant to HB701. Presented by: Phoebe Marcinek- Deputy County Attorney **56:21**

R0431840

Discussion by Commissioners-**57:50**

Commissioner James Larson made a **MOTION** that the Commission approve **Resolution 22-39:** A Resolution Presenting to Qualified Electors of Cascade County the Question of a 3% Local-Option Medical Marijuana Excise Tax Pursuant to HB701. **58:25**

Comments by the public on the motion made- Ben Forsyth **59:05- 1:01:04**

Questions or Comments by staff- None **1:01:08**

Discussion by Commissioners- **1:01:17- 1:06:44**

Motion carries 3-0 1:08:04

Agenda Item #6

Motion to Approve or Disapprove **Resolution 22-40:** A Resolution Presenting to Qualified Electors of Cascade County the Question of a 3% Local-Option Non-Medical Marijuana Excise Tax Pursuant to HB701. Presented by: Phoebe Marcinek- Deputy County Attorney **1:09:01**

R0431841

Commissioner James Larson made a **MOTION** that the Commission approve **Resolution 22-40** A Resolution Presenting to Qualified Electors of Cascade County the Question of a 3% Local-Option Non-Medical Marijuana Excise Tax Pursuant to HB701. **1:10:18**

Discussion by Commissioners- **1:10:43- 1: 11:37**

Questions or Comments by staff- None **1:11:47**

Comments by the public on the motion made- Ben Forsyth **1:11:55- 1:15:24**

Motion carries 3-0 1:15:33

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners ' jurisdiction. (MCA 2-3-103) 1:15:43

Jan Wenaas, 18 Riverwood Lane, Great Falls presented a letter and spoke. **(Exhibit: C) 1:15:48**

Devereaux Biddick, 610 Copper Court, Great Falls spoke. **1:21:12**

Frank Vostems, 71 East Country Lane, Great Falls spoke. **1:24:10**

Tammie Coster, 71 East Country Lane, Great Falls spoke. **1:24:45**

Mike Jambretz, 3509 Central Avenue, Great Falls spoke. **1:25:23**

Geraldine Jambretz, 3509 Central Avenue, Great Falls spoke. **1:29:29**

Ben Forsyth, 3301 9th Street NE, Great Falls, presented a printout of MCA 16-12-101 and spoke. **(Exhibit: D) 1:32:49**

No further public comment: 1:41:07

Adjournment: Chairman Briggs adjourned this Commission Meeting at 11:12 a.m.