

CASCADE COUNTY COMMISSION MEETING
July 26, 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 minutes were officially approved on August 26, 2022.

Commission : Chairman Joe Briggs excused, Commissioner Jim Larson, and Commissioner Don Ryan were present.

Staff: Carey Ann Haight- Chief Deputy Attorney, Phoebe Marcinek-County Attorneys, Diane Heikkla- Treasurer, Susan Shannon- Expo Park, Charity Yonker- Planning Director, Kevin Angland- Planner, Gary Poore- Planner, Kienna Owen-Quinata- Planner, Mary Embelton- Finance, Bonnie Fogerty-Commission and Marie Johnson -Deputy Clerk & Recorder.

Attendees Via Zoom: Abigail Hill, Jennifer Quick, Mark Leo, Jenn Rowell, Rae Grulkowski, Ryan Buffington, and Riana Leavens.

Public: Leonard L Roberts, Steven Vinnedge, Greg Mackenstadt, Betty Filuis, Kelly Qunell, Rosa Lea Qunell, Nila Fields, Steve Fields, Michael Hryszko, Bernard Cooper, Devereaux Biddick, Bob Remy, Aaron Johnson, Lynn Chmiel, Dale Schaeffer, Wild Bill Johnson, Russ Leitheiser, Steve Feist, Jessica Sollid, Norman Sollid, David R. Hryszko, Marcie Watson, and Eric Mills.

Call to Order : Commissioner Ryan called the meeting to order. **00:41**

Reading of the Commissioners ' calendar: Bonnie Fogerty read the calendar. **01:20**

Purchase orders and accounts payable checks: See agenda for payment information. Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable.

Motion carries 2-0 **04:27**

Treasurers Report: Diane Heikkla read the treasurers report. **04:37**

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 for July 6, 2022 (B) Approval of Routine Contracts as Follows: Monarch Fire Fee Service Area **Board Appointment** for Jake Parchen with an expiration date of 5/31/2025. **08:43**

Contract 22-89: Corporation for National and Community Services Agreement 21SFDMT003, Amendment #2 for the second year of a three-year authorization to provide the Foster Grandparent Program in Cascade County. Performance Period: July 1, 2021 - June 30, 2024. Budget Period: July 1, 2022 - June 30, 2024. Total Contract Amount: \$206,603 (Federal share \$151,802; Local share \$54,801 (includes cash and in-kind). **08:53 R0433551**

Contract 22-90: Contract Amendment Number 1 to Contract for DPHHS Grant Project Title: IV-E Legal Services Child and Family Services Division DPHHS Contract Number: 20223LEGL0012. (Reimbursable, Renewal) (Ref: Contract 21-98, R0416475) **09:01 R0436026**

City-County Health Department Contract 22-87 : MT DPHHS Memorandum of Agreement with Cascade City-County Health Department. The purpose of this Agreement is to identify the roles and responsibilities of CCHD and DPHHS related to transmitting immunization information to and from Montana's Immunization Information System (imMTrax). Effective: July 26, 2022 - until terminated by either party. **10:03 NR**

Motion carries 2-0 to approve items on the consent agenda **10:53**

Change in Agenda order:

Commissioner Ryan announced that the agenda order would be changed by having Susan Shannon present agenda items 5-10 first. **12:06**

Agenda Item #5

Motion to Approve or Disapprove:

Contract 22-91 : Kelly McDonald Band MT State Fair 2022 Grounds Entertainment (July 29 - August 6, 2022) Total Cost: \$13,500 + lodging

Susan Shannon Expo Park Director read the background for this contract. **12:46 NR**

Commissioner Larson made a **MOTION** to approve Contract #22-91, contract for Kelly McDonald Band for the purpose of providing country music entertainment at the 2022 Montana State Fair between July 29th thru August 6th, 2022. Compensation is \$13,500 due after the final performance on August 6, 2022. **Motion carries 2-0 13:28**

Agenda Item #6

Motion to Approve or Disapprove:

Contract 22-92: Robocars, J. International Management, Inc. MT State Fair 2022 Grounds Entertainment (July 29 -August 6, 2022) Total Cost: \$25,000 + lodging **14:05 NR**

Susan Shannon Expo Park Director read the background for this contract. **14:53**

Commissioner Larson made a **MOTION** to approve Contract #22-92, contract for the Robots and Cars Entertainment, Inc. for the purpose of providing strolling entertainment where vehicles and be seen transforming into RoboCars at the Montana State Fair between July 29th thru August 6th, 2022. Compensation is \$25,000 due after the final performance on August 6, 2022. Two hotel rooms will be provided to the Artist(s) beginning July 28, - August 6, 2022. **Motion carries 2-0 16:16**

Agenda Item #7

Motion to Approve or Disapprove:

Contract 22-93: Kardenni, J. International Management, Inc. MT State Fair 2022 Grounds Entertainment (July 29 -August 6, 2022) Total Cost: \$12,000 + lodging

Susan Shannon Expo Park Director read the background for this contract. **17:06 NR**

Commissioner Larson made a **MOTION** to approve Contract #22-93, contract for the Kardenni J International Management, Inc. for the purpose of providing strolling and stage entertainment at the Montana State Fair between July 29th thru August 6th, 2022. Compensation is \$12,000 due after the final performance on August 6, 2022. One hotel room will be provided to the Artist(s) beginning July 28, - August 6, 2022. **Motion carries 2-0 18:17**

Agenda Item #8

Motion to Approve or Disapprove:

Contract 22-94: Plant Guy, J. International Management, Inc. MT State Fair 2022 (July 29 - August 6, 2022) Total Cost: \$6,000 + lodging

Susan Shannon Expo Park Director read the background for this contract. **19:20 NR**

Commissioner Larson made a **MOTION** to approve Contract #22-94, contract for the Plant Guy J International Management, Inc. for the purpose of providing strolling and stage entertainment at the Montana State Fair between July 29th thru August 6th, 2022. Compensation is \$6,000 due after the final performance on August 6, 2022. One hotel room will be provided to the Artist(s) beginning July 28, - August 6, 2022. **Motion carries 2-0 20:22**

Agenda Item #9

Motion to Approve or Disapprove:

Contract 22-95: Strolling Piano, J. International Management, Inc. MT State Fair 2022 (July 29 - August 6, 2022) Total Cost: \$6,000 + lodging

Susan Shannon Expo Park Director read the background for this contract. **21:21 NR**

Commissioner Larson made a **MOTION** to approve Contract #22-95, contract for the Strolling Piano, J. International Management, Inc. for the purpose of providing strolling and stage entertainment at the Montana State Fair between July 29th thru August 6th, 2022.

Compensation is \$12,000 due after the final performance on August 6, 2022. Two hotel rooms will be provided to the Artist(s) beginning July 28, - August 6, 2022. **Motion carries 2-0 23:33**

This motion was revised to include two hotel rooms instead of one.

Agenda Item #10

Motion to Approve or Disapprove:

Contract 22-96: Romeo Entertainment Group - MT State Fair 2022 Concerts Mini Pop Kids (July 30, 2022) Cheap Trick (August 3, 2022) The Beach Boys (July 31, 2022) Chase Rice (August 5, 2022) Skillet (August 1, 2022) Dwight Yoakam (August 6, 2022) Total Cost: \$451,000 (flat guaranteed rate)

Susan Shannon Expo Park Director read the background for this contract. **24:15 NR**

Commissioner Larson made a **MOTION** to approve Contract #22-96, a contract for the Romeo Entertainment Group for the purpose of acting as the Entertainment Consultant and providing night show entertainment to include Mini Pop Kids, July 30th, The Beach Boys July 31st, Skillet August 1st, Cheap Trick August 3rd, Chase Rice, August 5th, Dwight Yoakam August 6th, at the 2022 Montana State Fair. Compensation Total \$451,000.

Motion carries 2-0 26:34

Agenda Item #1

Motion to Approve or Disapprove: **Public Hearing**

Resolution #22-50: A Resolution Approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Calumet Montana Refining LLC's Renewable Fuel Conversion Project's cost for the remodeling, reconstruction, or expansion of its facility at 1900 10th Street NE, Great Falls, Montana further described as Government Lots 2-3, Mark 8. Located in Section 01, T20N, R3E, Cascade County, Montana (Ref: City of Great Falls: Resolution 10456) **27:34 R0433974 AND R0433475**

Close the Commission Meeting:

Commissioner Ryan recessed the Regular Commission Meeting at 9:58 a.m.

Open the Public Hearing:

Commissioner Ryan opened the Public Hearing at 9:59 a.m.

Staff Report:

Carey Ann Haight presented this Resolution for a tax benefit. **28:35 - 31:01**

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **31:25** (See Exhibit A)

Call to Applicant:

Commissioner Ryan called for the applicant to speak with no response. **32:34**

Call for Written Testimony:

Commissioner Ryan called for written testimony with no response. **32:59**

Call for Proponents:

Commissioner Ryan called for Proponents, three times with no response. **33:01**

Call for Opponents:

Commissioner Ryan called for Opponents, three times with no response. **33:23**

Call for Informational Witnesses:

Commissioner Ryan called for Informational Witnesses, three times with no response. **33:33**

Close to Public Hearing:

Commissioner Ryan closed the Public Hearing at 10:04 a.m.

Resume Regular Commission Meeting:

Commissioner Ryan re-opened the Commission Meeting at 10:04 a.m.

Commissioner Larson made a **MOTION** to approve Resolution 22-50, a resolution approving a tax benefit for remodeling, reconstruction, or expansion of Calumet Montana Refining LLC's Renewable Fuel Conversion Project at its facility at 1900 10th Street NE, Great Falls, MT further described as Government Lots 2, 2, Mark 8 located in Section 1, Township 20 North, Range 3 East, Cascade County Montana. **Motion carries 2-0**

35:34

Agenda Item #2

Public Hearing

Contract 22-88: Floodplain Variance #2022-013 Request

Project Location: 76 Eaton Avenue, Great Falls, MT

Initiated by: Greg & Elizabeth Mackenstadt

Close the Commission Meeting:

Commissioner Ryan recessed the Regular Commission Meeting at 10:06 a.m.

Open the Public Hearing:

Commissioner Ryan opened the Public Hearing at 10:06 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **36:23** (See Exhibit B)

Staff Report:

Charity Yonker read the Staff Report with added revisions. **36:58 - 1:19**

Call to Applicant:

Commissioner Ryan called for the applicant to speak. **1:20**

Greg Mackenstadt, of 76 Eaton Avenue spoke. **1:21**

Call for Proponents:

Commissioner Ryan called for Proponents: **1:24**

Eric Mills of 68 Eaton Avenue spoke. **1:25**

Rosa Lea Qunell of 72 Eaton Avenue spoke. **1:27**

Michael Hryszko of 70 Gibson Flats Road spoke. **1:29**

Leonard Roberts of 21 Eaton Avenue spoke. **1:30**

Barney Cooper of 4 Eaton Avenue spoke. **1:34**

Bill Johnson of 25 Blue Bird Drive spoke. **1:36**

Elizabeth Mackenstadt of 76 Eaton Avenue spoke. **1:38**

Dale Schaeffer of 1708 22nd Avenue South spoke. **1:42**

Michael Hryszko of 70 Gibson Flats Road spoke. **1:47**

Annette Chmiel of 40 Eaton Avenue spoke. **1:50**

Commissioner Ryan called for more proponents, three times with no response. **1:53**

Call for Opponents:

Commissioner Ryan called for Opponents, three times with no response. **1:53**

Call for Informational Witnesses:

Commissioner Ryan called for Informational Witnesses, three times with no response. **1:54**

Call for Written Testimony:

Commissioner Ryan called for written testimony which an email from Michael Kubas of 60 Eaton Avenue was placed in the record (See Exhibit C). with no response. **1:55**

Close to Public Hearing:

Commissioner Ryan closed the Public Hearing at 11:24 a.m.

Resume Regular Commission Meeting:

Commissioner Ryan re-opened the Commission Meeting at 11:24 a.m.

Commissioner Ryan called for a motion.

Commissioner Larson made a **MOTION** to table this variance request until the next Commission meeting. **1:55**

There was further discussion amongst Commission, Staff, and the applicants. **1:56-2:16**

Commissioner Larson revised the **MOTION** to table the variance request until August 4, 2022, at 1:30 p.m. **Motion carries 2-0**

Break:

Commissioner Ryan called for a break at 11:48 a.m.

Meeting in session.

Commissioner Ryan announced action on agenda item #3. **2:18**

Agenda Item #3

Motion to Approve or Disapprove

Contract 22-86: Buildings for Lease or Rent Application for Storage Facility.

Location: Parcel #2049500 on Lot 30, of Greer Tracts, Section 10, Township 20 North, Range 4 East, P.M.M. Cascade County, MT Applicant: Jessica Sollid **2:18**

Kienna Owen-Quinata presented this storage facility. **2:19**

Commissioner Larson made a **MOTION** to adopt the staff report and approve that the two (2) 30'x210' buildings totaling 12,600 sq feet, eight (8) 30'x220' buildings totaling 52,800 sq feet with 466 storage units overall and one (1) 900 sq foot office located on parcel #2049500 with geocode 02-3016-10-1-01-05-000Abe subject to the following condition.

1. The applicant must obtain any other required Federal, State or County permits and/or approvals. **Motion carries 2-0 2:27**

Agenda Item #4

Motion to Approve or Disapprove

Final Plat Approval Mountain View Estates North Phase II Major Subdivision

Initiated by: Mountain View Estates Development North, LLC **2:27**

Kienna Owen-Quinata presented this storage facility. **2:28**

Commissioner Larson made a **MOTION** to adopt the staff report and approve the final plat for Mountain View Estates North Phase II Major Subdivisions due to the 21 on conditions being met. **2:37**

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners ' jurisdiction. (MCA 2-3-103) Commissioner Ryan called for public comment. **2:37**

Russell Leitheiser of 440 Vaughn North Frontage Road spoke. **2:38**

There was further discussion amongst Commission, Staff, and the applicants. **2:39**

Steven Feist of 446 Vaughn North Frontage Road spoke. **2:47**

Steven Vinnedge of 13 Bend View Lane spoke and presented a handout (See Exhibit "D"). **2:50**

Devereaux Biddick of 610 Copper Court spoke. **2:59**

Adjournment: Commissioner Ryan adjourned this Commission Meeting at 12:36 a.m.