

CASCADE COUNTY COMMISSION MEETING

July 28, 2020

Via Zoom

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 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 are in draft form until officially approved on August 11, 2020.

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

Staff: Carey Ann Haight – Deputy County Attorney, Mary Embleton – Budget Officer, Anna Ehnes and Amber Hobbs – Planners, Charity Yonker – Planning Director, Brad Call – Emergency Services Coordinator, Katrin Finch – MSU Cascade County Extension, Kim Thiel-Schaaf – Aging Services Director, Les Payne – Public Works Director, Shanna Bulik-Chism – JDC Director, Trisha Gardner – Public Health Officer, Diane Heikkila – Treasurer, Bonnie Fogerty – Commission Office and Kyler Baker – Deputy Clerk & Recorder

Public: Jenn Rowell – The Electric and Karl Puckett – The Great Falls Tribune, Ryan Buffington, Amos Birky, Newsboss, Karl Birky, Allan Birky

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

Reading of the Commissioners' calendar: Bonnie Fogerty read the calendar. **00:37**

Treasurer's Report: Diane Heikkila, Treasurer, reads the report. (See Exhibit A) **03:33**

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 3-0 03:39**

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 (April 10, 2020, July 7, 2020, July 8, 2020, July 14, 2020, July 22, 2020) (B) Approval of Routine Contracts as Follows:

Consent Agenda

Resolution 20-40: Assessment for Rural Lighting Districts FY 2019/2020 Tax Levy. Effective: FY 2020/2021 Total Amount: \$25,834.82 **06:46 (ITEM PULLED NO ACTION TAKEN)**

Contract 20-95: MT DPHHS Contract #20-221-13009-0 Provision of Older Americans Act, State Health Insurance Program (SHIP) and the Medicare Improvement and Patient

Portability Act (MIPPA) Program. Effective: July 1, 2020 – June 30, 2021 Total Funding: \$1,586,597. **06:56**

Contract 20-97: FY 2021 Extension Services Agreement between Montana State University and Cascade County Effective: July 1, 2020 – June 30, 2021 Total Amount: \$233,302.00 **07:30**

Contract 20-98: Preferred Office Equipment Lease Agreement #450-9673767 with the Cascade County Attorney's Office for a Sharp Model MX6071 Copy Machine. Lease Term: 60 months, Cost: \$152.30/monthly **07:48**

Contract 20-99: DNRC 2020 Rural Fire Capacity Program Subaward Agreement #FRC-21-070. Effective: Date of Signing – May 1, 2021 Total Amount: \$13,000.00 Fire Departments: 10% Match **08:15**

Contract 20-104: Service Agreement between Cascade County Aging Services and the Sun River Valley Senior Center for Older Americans Services in FY2021. Effective: July 1, 2020 – June 2021. **08:42**

Contract 20-105: Contract Modification for DPHHS Grant Project Title: IV-E Legal Services DPHHS Contract Number: 20123LEGL0001 Effective: July 1, 2020 – June 30, 2026 **08:59**

Contract 20-106: Contract Modification for DPHHS Grant Project Title: DPHHS Contract for Paralegal Services Contract Number: 20143PARA0001 Effective: July 1, 2020 – June 30, 2026 **09:23**

Contract 20-107: Memorandum of Understanding (MOU) for the Federation of Cascade City County Health Department Local #7772 of the Montana Federation of Public Employees adding the position of Public Health Nurse – Immunizations (LPN) to the current Collective Bargaining Agreement. Effective: July 1, 2019 – June 30, 2022 **09:47**

Contract 20-108: Memorandum of Understanding (MOU) for the AFSCME Local 28 Union Membership Adult Detention Officers adding the position of Staff Sergeant to the current Collective Bargaining Agreement. Effective: July 1, 2020 (*Ref: 19-176, R0371518*) **10:15**

Contract 20-111: SWANK Motion Pictures, Inc. Public Performance Licensing Agreement for Correctional Institutions to broadcast motion pictures to State inmates in the facility. Effective: September 1, 2020 – August 31, 2021 Total Cost: \$778.50 (one installment). **10:42**

Contract 20-112: State of Montana Board of Crime Control, Sub Grant: 21-L05-92674 North Central Region Juvenile Detention. Effective: July 1, 2020 – June 30, 2021 Total: \$274,238.00 (State: \$137,119.00/Local Match: \$137,119.00) **11:09**

City-County Health Department

Contract 20-96: Memorandum of Understanding between Cascade County and the Great Falls Rescue Mission. The Great Falls Rescue Mission has planned a “Back to School Rally” August 23, 2020. This MOU outlines responsibilities for utilization of the parking lots associated with the CCHD property. (No Cost to the County) **11:50**
Motion carries 3-0 13:09

Agenda Item #1 13:22

Public Hearing:

Preliminary Plat of the Peace Park Subdivision, Major Subdivision

Location: Section 34, Township 20 North, Range 3 East P.M.M. Cascade County, MT

Initiated by: Karl Birky

Recess the Commission Meeting:

Chairman Larson recessed the Commission Meeting at **9:45 a.m.**

Public Hearing:

Chairman Larson opened the Public Hearing at **9:45 a.m.**

Reading of the Public Notice:

The reading of the public notice was waived without objections and made part of the public record. *(See Exhibit B) 15:47*

Staff Presentation:

Anna Ehnes, Planner, elaborates. **16:09 – 27:00**

Call for Applicant:

Karl Birky, 1220 Central Avenue West, comments. **27:12**

Ryan Buffington, Big Sky Civil and Environmental, 1109 3rd Avenue SW, comments. **28:43**

Call for Written Testimony:

Chairman Larson called for written testimony and none was presented. **30:17**

Call for Proponents:

Chairman Larson called for Proponents, three times with no response. **30:27**

Call for Opponents:

Chairman Larson called for Opponents, three times with no response. **30:53**

Informational Witnesses:

Chairman Larson called for Informational Witnesses, three times with no response. **31:14**

Close to Public Hearing:

Chairman Larson closed the public hearing at **10:02 a.m.**

Reopen the Commission Meeting:

Chairman Larson reopened the Commission Meeting at **10:02 a.m.**

Commissioner Weber made a **MOTION** that after consideration of the Staff Report and Findings of Fact, adopt said Staff Report and Findings of Fact and **approve** the Preliminary Plat of The Peace Park Subdivision, a major subdivision, subject to the 21 conditions. **31:38**

Motion carries 3-0 33:43

AGENDA ITEM #2 34:01

Public Hearing:

Resolution 20-41: Action on a Petition to Discontinue One (1) Alley Way & a Portion of One (1) Alley Way

Recess the Commission Meeting:

Chairman Larson recessed the Commission Meeting at **10:04 a.m.**

Public Hearing:

Chairman Larson opened the Public Hearing at **10:04 a.m.**

Reading of the Public Notice:

The reading of the public notice was waived without objections and made part of the public record. (See *Exhibit C*) **34:57**

Staff Presentation:

Amber Hobbs, Planner, elaborates. **35:10-41:30**

Call for Applicant:

No applicant spoke to this agenda item.

Call for Written Testimony:

Chairman Larson called for Written Testimony and none was presented. **42:25**

Call for Proponents:

Chairman Larson called for Proponents, three times with no response. **43:17**

Call for Opponents:

Chairman Larson called for Opponents, three times with no response. **43:40**

Call for Informational Witness:

Chairman Larson called for Informational Witnesses, three times with no response. **43:57**

Close to Public Hearing:

Chairman Larson closed the Public Hearing at **10:14 a.m.**

Reopen the Commission Meeting:

Chairman Larson reopened the Commission Meeting at **10:14 a.m.**

Commissioner Briggs made a **MOTION** to **approve** Resolution 20-41, discontinuing the alley way running East to West along Block 15 approximately 270 feet long and 15 feet wide, between Seventh Street (known as 11A Street South) and Eighth Street (known as 12 Street South), a portion of the alley way running North to South within Block 15 approximately 75 feet long and 20 feet wide, between Lots 13 through 18. The alleys described above are platted rights-of-way within the subdivision known as the Park Place Addition, located in Section 13, Township 20N, Range 03E, Cascade County, MT P.M.M. as described within this report, and is identified by map subject the two (2) conditions. **44:18**

Motion carries 3-0 45:45

AGENDA ITEM #3 45:59

Public Hearing:

Resolution 20-42: Action on a Petition to Discontinue One (1) Alley Way & a Portion of One (1) Alley Way

Location: Section 34, Township 21N, Range 01W P.M.M. Cascade County, MT

Initiated by: Amos J. Birky

Recess the Commission Meeting:

Chairman Larson recessed the Commission Meeting at **10:17 a.m.**

Public Hearing:

Chairman Larson opened the Public Hearing at **10:17 a.m.**

Reading of the Public Notice:

The reading of the public notice was waived without objections and made part of the public record. (See *Exhibit D*) **46:57**

Staff Presentation:

Amber Hobbs, Planner, elaborates. **47:11**

Call for Applicant:

Amos Birky, 200 Choteau Street, Sun River, MT, elaborates. **52:26**

Call for Written Testimony:

Chairman Larson called for Written Testimony and none was presented. **53:12**

Call for Proponents:

Chairman Larson called for Proponents, three times with no response. **53:24**

Call for Opponents:

Chairman Larson called for Opponents, three times with no response. **53:39**

Call for Informational Witness:

Chairman Larson called for Informational Witnesses, three times with no response. **53:59**

Close to Public Hearing:

Chairman Larson closed the Public Hearing at **10:24 a.m.**

Reopen the Commission Meeting:

Chairman Larson reopened the Commission Meeting at **10:24 a.m.**

Commissioner Weber made a **MOTION** to **approve** Resolution 20-42, discontinuing one (1) alley way running North East to South West within Block 5, approximately 363 feet long and 20 feet wide. The alley described above is a platted rights-of-way within the subdivision known as the Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 01W P.M.M. Cascade County, MT as described within this report, and as identified by the map subject to the two (2) conditions. **55:74**

AGENDA ITEM #4 56:00

Motion to Approve or Disapprove:

Contract 20-109: Contract with Tillerias Landscaping at the Montana ExpoPark. Cost: \$19,550.00

Les Payne, Public Works Director, elaborates. **56:30**

Commissioner Briggs made a **MOTION** to **approve** Contract 20-109: Contract with Tillerias Landscaping at the Montana ExpoPark with a total cost of \$19,550.00 **57:45**

AGENDA ITEM #5 58:37

Motion to Approve or Disapprove:

Contract 20-110: Contract with Circle “B” Saw & Tree, LLC for tree trimming at the Montana ExpoPark. Cost: \$79,950.00

Les Payne, Public Works Director, elaborates. **59:01**

Commissioner Weber made a **MOTION** to **approve** Contract 20-110: Contract with Circle “B” Saw & Tree, LLC for tree trimming at the Montana ExpoPark. Cost: \$79,950.00 **1:04:54**

AGENDA ITEM #6 1:02:53

Motion to Approve or Disapprove:

Contract 20-113: Memorandum of Agreement between Great Falls Development Authority, Inc, and Cascade County for funding the Remediation of Lead-based Paint, Asbestos, and Mercury in the Former Cascade County Jail. This includes an Amendment to the MOU. (Initial Funding: \$134,225.00; Amended Funding not to exceed: \$148,249.00)

Commissioner Weber elaborates. **1:03:50**

Commissioner Briggs made a **MOTION** to **approve** Contract 20-113: Memorandum of Agreement between Great Falls Development Authority, Inc, and Cascade County for funding the Remediation of Lead-based Paint, Asbestos, and Mercury in the Former Cascade County Jail. This includes an Amendment to the MOU. (Initial Funding: \$134,225.00; Amended Funding not to exceed: \$148,249.00) **1:08:08**

Commissioner Weber thanks GFDA for their time and help. **1:09:04**

Karl Puckett – The Great Falls Tribune, asked what the plans were for the Old Jail once it was cleaned up. **1:10:43**

Commissioner Briggs responds that as of now there is no plan. **1:10:47**

Commissioner Weber stated there was drawing to remodel and possibly move Youth Court and Justice Court and possible the County Commission into the Old Jail and leave the Courthouse strictly for District Court. **1:11:01**

Motion carries 3-0 1:12:06

AGENDA ITEM #7 1:12:17

Motion to Approve or Disapprove:

Contract 20-114: Hazardous Technologies, Inc, Remediation Contract for Remediation of Lead-based Paint, Asbestos, and Mercury in the Former Cascade County Jail – Non-Hazardous Material. Total Cost: \$40,100.00 (*Ref: Contract 20-113, 13GFDA MOU*)

Commissioner Weber elaborates. **1:13:06**

Commissioner Weber made a **MOTION** to **approve** Contract 20-114: Hazardous Technologies, Inc, Remediation Contract for Remediation of Lead-based Paint, Asbestos, and Mercury in the Former Cascade County Jail – Non-Hazardous Material. Total Cost: \$40,100.00 (*Ref: Contract 20-113, 13GFDA MOU*) **1:15:23**

Motion carries 3-0 1:16:10

AGENDA ITEM #8 1:16:20

Motion to Approve or Disapprove:

Contract 20-115: Hazardous Technologies, Inc, Hazardous Material Remediation Contract for Remediation of Lead-Based Paint, Asbestos and Mercury in the Former Cascade County Jail. Total Cost: \$134,772.00 (*Ref: Contract 20-113, GFDA MOA and Amendment*)

Commissioner Weber elaborates. **1:16:58**

Commissioner Briggs made a **MOTION** to **approve** Contract 20-115: Hazardous Technologies, Inc, Hazardous Material Remediation Contract for Remediation of Lead-Based Paint, Asbestos and Mercury in the Former Cascade County Jail. Total Cost: \$134,772.00 (*Ref: Contract 20-113, GFDA MOA and Amendment*) **1:20:35**

Motion carries 3-0 1:23:24

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

None

Adjournment: Chairman Larson adjourned this Commission Meeting at **10:54 a.m.**