

CASCADE COUNTY COMMISSION MEETING

September 8, 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 September 8, 2020.

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

Staff: Carey Ann Haight – Deputy County Attorney, Rina Fontana Moore – Clerk & Recorder, Charity Yonker – Planning Director, Amber Hobbs – Planner, Cory Reeves – Undersheriff, Les Payne – Public Works Director, Scott Maunu – Commission Office, Brad Call – Emergency Services Director, Shanna Bulik-Chism – JDC Director, Mary Embleton – Budget Officer, Roy Curtis – Superintendent of Buildings and Grounds, Kelton Foster – IT, Sean Higginbotham – IT Director, and Kyler Baker – Deputy Clerk & Recorder

Public: Ronda Wiggers, Karl Pucket – The Great Falls Tribune, Jenn Rowell – The Electric, Mark Leo – Big Sky Civil and Environmental, Roy Volk

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

Reading of the Commissioners' calendar: Scott Maunu read the calendar. **00:42**

Purchase orders and accounts payable checks: *See agenda for payment information.* Commissioner Briggs made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 3-0 04:39**

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 Weber made a **MOTION** to (A) Approve minute entries (August 25, 2020; September 1, 2020; September 2, 2020) (B) Approval of Routine Contracts as Follows:

Consent Agenda

Contract 20-135: Memorandum of Understanding by and between City of Belt and Cascade County to implement a Resident Deputy Program. Initial six (6) month term until residence for the Deputy is obtained. Extended Term. Effective: June 30, 2020 – June 30, 2029. **05:23**

Contract 20-139: Contract with Kindred Plumbing & Heating Inc. to replace kitchen area floor drain and trap at the Adult Detention Center. Total Cost: \$3,870. **05:37**

Contract 20-140: Contract with Kindred Plumbing & Heating Inc. to plumb in and install an overhead heater and thermostat at the Adult Detention Center. Total Cost; \$6,970.

05:49

Contract 20-141: Contract with Heartland for payment processing. Additional terms and conditions of electronic payment processing system to establish service setup and rates. Based on a fixed service fee on 2.95% per transaction. (Ref: Contract 19-201) **06:02**

Contract 20-142: Contract with CivicPlus for upgrades to community engagement and digital government management platforms. Define terms and conditions. Initial Cost: \$17,273.47. **06:22**

Contract 20-143: Juvenile Detention Center jail management system. To enter into an agreement with CentralSquare Technologies for jail management service. Total County Cost: \$9,902.00 with a recurring fee of \$844.20 (Ref: Interlocal Agreement 17-40) **06:38**

Motion carries 3-0 07:32

AGENDA ITEM #1 07:43

Motion to Approve or Disapprove:

Contract 20-138: Contract with C's Painting Plus to pain various buildings on the backside of the MT ExpoPark. Total Cost: \$44,334.

Les Payne, Public Works Director, elaborates. **08:06**

Commissioner Briggs asks Les Payne to explain why this contract has a contingency. **09:08**

Les Payne, Public Works Director, explains the contingency. **09:15**

Commissioner Weber made a **MOTION** to approve Contract 20-138: Bid proposal from C's Painting Plus to repaint various buildings and barns, on the backside of the Montana ExpoPark, located at 400 3rd St NW, for \$36,945.00 and approve staff of utilizing and not to exceed a contingency of \$7,389.00 (approximately 20%) for a total project cost of \$44,334.00.

Motion carries 3-0 11:39

AGENDA ITEM #2 11:53

Public Hearing

Preliminary Plat of the Missouri River Big Bend II Part II

Remainder track of the Missouri River Big Bend II, Phase I, and Lot 7 of Missouri River Big Bend III, located in Sections 10, 11, 14 & 15, Township 19 North, Range 3 East.

Recess the Commission Meeting:

Chairman Larson recessed the Commission Meeting at **9:43 a.m.**

Open the Public Hearing:

Chairman Larson opened the Public Hearing at **9:43 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 A) **12:53**

Staff Presentation:

Amber Hobbs, Planner, elaborates. **13:18 – 45:25**

Call to Applicant:

Chairman Larson called to the applicant.

Mark Leo, Big Sky Civil and Environmental, 1324 13th Ave SW, speaks. **46:05**

Call for Written Testimony:

Chairman Larson called for Written Testimony and none was presented. **59:12**

Call for Proponents on Variance #1:

Roy Volk, 301 Big Bend Lane, speaks. **1:01:20**

Call for Opponents on Variance #1:

Chairman Larson called for Opponents on Variance #1, three times with no response.

1:09:54

Call for Informational Witnesses on Variance #1:

Chairman Larson called for Informational Witnesses on Variance #1, three times with no response. **1:10:12**

Call for Proponents on Variance #2:

Chairman Larson called for Proponents on Variance #2, three times with no response.

1:10:42

Call for Opponents on Variance #2:

Chairman Larson called for Opponents on Variance #2, three times with no response.

1:11:05

Call for Proponents on the Subdivision:

Chairman Larson called for Proponents on the Subdivision, three times with no response.

1:11:59

Call for Opponents on the Subdivision:

Chairman Larson called for Opponents on the Subdivision, three times with no response.

1:12:16

Call for Informational Witnesses on the Subdivision:

Chairman Larson called for Informational Witnesses on the Subdivision, three times with no response. **1:12:37**

Close to Public Hearing:

Chairman Larson closed the Public Hearing at **10:44 a.m.**

Re-open Commission Meeting:

Chairman Larson re-opened the Commission Meeting at **10:44 a.m.**

Commissioner Weber made a **MOTION** to **approve** Variance 1 with the following conditions:

- ii. A covenant shall be filed with the final plat stating “The Missouri River Bend II, Part II, Major Subdivision property owners shall maintain the internal access road and road approach, and shall keep the entire width of the road clear of all vehicles, campers, boats, trailers, materials, or any other item in order to aid emergency vehicle response capabilities.”

And

- iii. Prior to final plat approval the subdivider shall install no parking signs along the internal access road which notifies all landowners of the requirement to keep the road right-of-way clear of all encroachments. **1:13:34**

Commissioner Briggs made an **AMENDMENT** to the **MOTION** adding:

- i. Obtain a signed letter from the Gore Hill Volunteer Fire Department stating that one access road is sufficient to provide adequate fire protection and emergency services to the entire subdivision in the even Rimrock Lane becomes congested or impassable. **1:16:19**

Motion carries 3-0 1:18:22

Commissioner Briggs made a **MOTION** that Variance 2 be **denied**: on the grounds that the Applicant has not provided sufficient evidence to support a positive findings that (1) the conditions on which the request for variance is based are unique to the property on which the variance is sought and are not generally applicable to other properties; (2) that the physical conditions, such as the parcels shape or topography, prevent the Applicant from meeting the strict letter of these Regulations; and (3) the granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties. **1:18:45**

Motion carries 2-1 1:20:01 (*For: Briggs and Weber; Against: Larson*)

Commissioner Weber made a **MOTION** that after consideration of the Staff Report and Findings of Fact, **approve** the Preliminary Plat Application for Missouri River Big Bend II, Part II Major Subdivision according to the 25 conditions. **1:20:18**

Motion carries 3-0 1:21:53

AGENDA ITEM #3 1:22:06

Motion to Approve or Disapprove:

Contract 20-144: Contract with A.T. Klemens to remove old and install new roof on ExpoPark Test Barn and the Eastside addition. Total Cost: \$23,947.20

Les Payne, Public Works Director, elaborates. **1:22:31**

Commissioner Briggs made a **MOTION** to **approve** Contract 20-144: for A.T. Klemens to remove and install a new roof on the Test Barn & the addition that is attached to the Eastside of this building, all located at the Montana ExpoPark, at 400 3rd St NW, for \$19,956.00 and approve staff of utilizing and not to exceed a contingency of \$3,991.20 (approximately 20%) for a total project cost of \$23,947.20. **1:24:06**

Motion carries 3-0 1:25:09

AGENDA ITEM #4 1:25:18

Motion to Approve or Disapprove:

Resolution 20-52: Independent Taxing Jurisdictions – set tax mill levies for fiscal year 2020/2021.

Rina Fontana Moore, Clerk & Recorder, elaborates. **1:25:38**

Commissioner Briggs gives more background information. **1:27:06**

Commissioner Weber made a **MOTION** to **approve** Resolution 20-52: accepting the information provided to set tax mill levies for fiscal year 2020/2021. **1:30:06**

Motion carries 3-0 1:30:48

AGENDA ITEM #5 1:30:57

Motion to Approve or Disapprove:

Contract 20-145: Contract 20-CV01-92700-COVID-19 Prevention and Preparation Montana Board of Crime Control (MBCC) Grant Award. Total Grant: \$84,187 to be divided between the Juvenile Detention Center (\$25,000) and the Sheriff's Office (\$59,187)

Carey Ann Haight, Deputy County Attorney, elaborates. **1:31:48**

Commissioner Briggs asks if this grant is considered as and treated as federal funds.

1:34:52

Mary Embleton, Budget Officer/Grant Coordinator, responds. **1:35:00**

Commissioner Briggs made a **MOTION** to **approve** Contract 20-145: Contract 20-CV01-92700-COVID-19 Prevention and Preparation Montana Board of Crime Control (MBCC) Grant Award in the amount of \$84,187.00.

Motion carries 3-0 **1:38:15**

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 **11:10 a.m.**