

CASCADE COUNTY COMMISSION MEETING
January 26, 2021
Via Zoom
9:30 A.M.

Commission
Journal #61

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 February 9, 2021.

Commission : Acting Chairman Joe Briggs Commissioner Jim Larson.

Staff: Carey Ann Haight - Deputy County Attorney, Diane Heikkla-Treasurer, Brad Call-DES Director, Charity Yonker-Planning Director, Sandor Hopkins-Planner, Anna Ehnes- Planner, Amber Hobbs-Planner, Destiny Gough-Planning Administrative Assistant, Christina Wood-Accounting, Undersheriff Reeves, Mary Embleton - Budget Officer, Bonnie Fogerty and Kyler Baker - Commission Office and Marie Johnson -Deputy Clerk & Recorder

Public: Jenn Rowell, Nicole Girten, Rainy Wright, Neal Korell, David Murry, Christopher Skinner, Joe Lee, and Don Ryan.

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

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

Treasurer's Report: Treasurer Diane Heikkla read the report. (See Attached Report) **07:22**

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 2-0 08:07**

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 6th, 12th, 2021. (B) Approval of Routine Contracts as Follows: **08:32**

Board Appointment

Mental Health Local Advisory Council

Amanda Walker as Provider (Filling Seat Vacated by Dusti Zimmer) **08:51**

Resolution 21-05: Budget Appropriation within the Sheriff's Office Fund #4140 due to additional funding received from Governor's Local Government COVID Relief Fund. Total Increase: \$2,509,568 **08:57**

Resolution 21-06: Budget Appropriation within the County Attorney's Office Grant Fund #2906 increasing budget authority and expenses to match Paralegal Services Child and Family Services Division Contract #20213PARA0001. Increase to a total of: \$53,477 (Contract 20-206) **09:07**

Resolution 21-07: Budget Appropriation within the Sheriff's Office Public Safety Fund #2301 due to the transfer of fund from the Cascade County Constable budget. Total Increase: \$43,973
09:19

Resolution 21-09: Budget Appropriation within the Sheriff's Office Homeland Security Grants Fund #2929 for State Homeland Security Program (SHIP) for the night vision goggles split with the City of Great Falls. Total Amount: \$172,617 (Ref: Contract 20-148, R0395944) **10:12**

Contract 21-07: The Hampton-Collins Memorial Foundation has given a grant donation to Cascade County Aging Services to be divided between Meals on Wheels and the Home Attendant Program. Total Grant Amount: \$21,877 **10:30**

Contract 21-08: Contract between Cascade County and Great Falls Fence to extend fencing around the gravel stockpile at Public Works located at 279 Vaughn South Frontage Road. Total Cost: \$4,200 **10:57**

Contract 21-09: 2021 Montana Internet Crimes Against Children Task Force Grant Award Grant Number: 2018-MC-FX-K006. Funding Cycle: October 1, 2020 - September 30, 2021. Total Reimbursable Amount: \$14,800. This is "Year 3" of a 3-year continuation grant. (Ref: Contract 19-24, R0368123) **11:17**

Resolution 21-08: Budget Appropriation within the Sheriff's Office Fund #2918 due to the acceptance of Montana Internet Crimes Against Children (ICAC) Task Force Grant. Total Amount: \$14,800 (Ref: Contract 21-09) **12:26**

Motion carries 2-0 to approve items on the consent agenda 13:35

Agenda Item #1

Ordinance 21-01 : (2nd Reading) An Ordinance Establishing Procedure in Cascade County for Selection of the Presiding Officer of the Cascade County Board of Commissioners.

Commissioner Larson made a **MOTION** to approve the second reading of Ordinance 12-01.

Motion carries 2-0 16:01

Agenda Item #2

Ordinance 21-02: (2nd Reading) An Ordinance Prohibiting the Carrying & Possession of Weapons Under Certain Circumstances, Pursuant to MCA § 45-8-351 (2019)

Commissioner Larson made a **MOTION** to approve the second reading of Ordinance 12-02.

Motion carries 2-0 16:30

Commissioner Larson and Acting Chair Briggs commented on this Ordinance. **22:26-24:03**

Agenda Item #3

Resolution 21-03: Public Hearing to discontinue a street and alley within the platted subdivision of Largent and Strong East Addition to Sun River Initiated by: Christopher Skinner **24:04**

Recess the Commission Meeting:

Acting Chair Briggs recessed the Regular Commission Meeting at 9:25 a.m.

Open the Public Hearing:

Acting Chair Briggs opened the Public Hearing at 9:25 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **24:29** (See Exhibit A)

Staff Report:

Anna Ehnes, Planner, read the background of the Staff Report. **24:51**

Written Testimony: Acting Chairman Briggs called for written testimony in which there was none. **29:28**

Call for Proponents:

Acting Chairman Briggs called for Proponents, three times with no response. **29:58**

Call for Opponents:

Acting Chairman Briggs called for Opponents, three times with no response. **30:33**

Call for Informational Witnesses:

Chairman Briggs called for Informational Witnesses, three times with no response. **30:54**

Comments:

Kyler Baker informed the Commission that there was a gentleman trying to speak at the Zoom meeting and they were getting him set up in another room. **31:40**

Mr. Christopher Skinner, 13848 MT Hwy 200 Sun River, MT - the applicant spoke as a proponent on his behalf. **32:56**

Mr. Joe Lee spoke on his behalf as an opponent to this abandonment and stated he had written information to enter for the record. **39:16**

Action:

Acting Chairman Briggs consulted with counsel to confirm they can take time to preview the written information (See Exhibit B) to be read by the Commission.

It was decided to close the public hearing and go back to the motion after the next public hearing. **43:27**

Close to Public Hearing:

Acting Chairman Briggs closed the Public Hearing at 10:15 a.m.

Resume Regular Commission Meeting:

Acting Chairman Briggs re-opened the Commission Meeting at 10:15 a.m.

Agenda Item #4

Resolution 21-04: Public Hearing for a zoning map amendment of Cascade County Zoning Regulations § 4 "Zoning Map" affecting Parcel #0004206200, a tract of land in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 3 East, P.M.M., Cascade County, MT, physically addressed as 662 Stockett Road, Stockett, MT 59480 Initiated by: Rainy Wright. Amber Hobbs read the synopsis for this zoning change.

Recess the Commission Meeting:

Acting Chairman Briggs recessed the Regular Commission Meeting at 10:15 a.m.

Open the Public Hearing:

Acting Chair Briggs opened the Public Hearing at 10:15 a.m.

Staff Report:

Amber Hobbs, Planner, read the background of the Staff Report. **45:18 - 1:16**

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **1:16** (See Exhibit C)

Call to Applicant: Rainy Wright 662 Stockett Road spoke in favor of her rezone request. **1:16**

Call for Written Testimony: Acting Chairman Briggs called for written testimony in which there was none. **1:17**

Call for Proponents:

Acting Chairman Briggs called for Proponents, Neil Korell, 552 East Hunter Road spoke in favor of this rezone. **1:18**

Call for Opponents:

Acting Chairman Briggs called for Opponents, three times with no response. **1:19**

Call for Informational Witnesses:

Acting Chairman Briggs called for Informational Witnesses, three times with no response. **1:20**

Close to Public Hearing:

Acting Chairman Briggs closed the Public Hearing at 10:52 a.m.

Resume Regular Commission Meeting:

Acting Chairman Briggs re-opened the Commission Meeting at 10:52 a.m.

Motion to Approve or Disapprove Agenda Item #4

Commissioner Larson made a **MOTION**

After consideration of the Staff Report, supporting materials, public testimony, and written comments, approve the zoning map amendment requested by Rainy Wright to rezone Parcel # 0004206200 Geocode 02-2864-19-2-01-09-0000, located in the South ½ of Section 18 and North ½ of Section 19, Township 19 North, Range 5 East, P.M.M., Cascade County, Montana from Rural Residential-5 District to the Mixed-Use District. **Motion carries 2-0 1:20**

Agenda Item #3:

Acting Chairman Briggs revisited Agenda Item #3. **1:22**

Acting Chairman Briggs informed Mr. Lee that his written testimony would be placed in the record and requested a motion. **1:23**

Motion to Approve or Disapprove Agenda Item #3

Commissioner Larson made a **MOTION** to approve Resolution 21-03, discontinuing the alley running East to West through Block 3 approximately 495 feet long and 20 feet wide, between platted Main Street and Carroll Street, the alley running East To West through Block 4, approximately 550 feet long and 20 feet wide, between platted Carroll Street and Strong Street, and the street platted as Carroll Street approximately 500 feet long and 60 feet wide be abandoned. The alleys and street described above are platted right -of-way within the subdivision known as the Plat of Largent and Strong East Addition to Sun River, located in Section 34, Township 21N, Range 1 W, P.M.M., Cascade County, MT., as described within this report, as identified by the map, subject to 2 conditions.

Motion carries 2-0 1:22

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners ' jurisdiction. (MCA 2-3-103) Mr. Lee made additional comments on the abandonment. **1:28**

Commissioner Larson read a disclaimer regarding the comments that were made by Madam Chair Weber at the meeting held on January 20, 2021. **1:31**

Adjournment: Chairman Briggs adjourned this Commission Meeting at 11:04 a.m.