

CASCADE COUNTY COMMISSION MEETING
July 11, 2023
Via Zoom and Conference room attendees
9:30 A.M.

Commission
Journal #63

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 July 25, 2023.

Commission : Madam Chair Grulkowski, Commissioner Jim Larson, and Commissioner Joe Briggs.

Staff: Carey Ann Haight County Attorney, Charity Yonkers Planning, Raina Leavens Planning, Kevin Angland Planning, Bonnie Fogerty Commission office and Marie Johnson Chief Deputy Clerk & Recorder, and Marion Kieckbusch Deputy Clerk and Recorder.

Attendees Via Zoom: Tom Mital, Amber Vining, and Kyler Baker.

Public: Carl Christofferson, Bernard L Cooper, Ray Russell, Shannon Wilson, Mike Mader, Jason Crawford, Ronnie Ferderer, Amanda Ferderer, Gary Manning, Connie Manning, William Ferderer, Rosemarie Ferderer, Nila Fields, Greg Mackenstadt, Rick Higgins, and John Hubbard.

Call to Order: Madam Chair Grulkowski called the Commission meeting to order. **00:03**

Call to Order : Madam Chair Grulkowski requested the calendar be read. **00:54**

Reading of the Commissioners ' calendar: Bonnie Fogerty read the calendar. **02:46**

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 03:43**

Consent Agenda:

Commissioner Larson made a **MOTION** to approve the consent agenda and the approval of minutes from June 9, June 13, June 27, June 28, and July 5, 2023. **03:51**

Contract 23-91: State of Montana Board of Crime Control North Central Region, FY 2024 Regional Juvenile Detention Grant, Award #24-L01-1659. Purpose: Acceptance of the Grant Award from the Montana Board of Crime Control (MBCC) for the reimbursement of a portion of personnel costs for the Cascade County Juvenile Detention Center (JDC). State Award: \$130,209. (No County Match). **R0445890**

Contract 23-92: Cascade County Reimbursement Contract #COR-INTRGV-2022-0437-PHCF, Amendment No. 1 by and between the Department of Corrections (State of Montana) and Cascade County (JDC) to provide continued youth detention services establishing parameters of transportation, medication and medical services while detained. Effective: July 1, 2023 - June 30, 2024. (Ref: Contract 22-166, R0437305) **NR**

Motion approved: 3-0 **06:35**

Agenda Item #1

Motion to Approve or Disapprove:

Preliminary Plat of Eagles Nest Ranch Minor Subdivision

Location: In Section 24, Township 20 north, Range 03 East, PMM, Cascade County, MT.

Initiated by Ken & Karen Wright

Raina Leavens read the background. **07:06**

Commission comments **15:54-20:45**

Commissioner Briggs made a **MOTION** that the Cascade County Commissioners after consideration of the Staff Report and Findings of Facts, adoption of said Staff Report, Findings of Facts and recommendation from the Planning Board, and **approve** Eagles Nest Ranch Minor Subdivision Preliminary Plat subject to the following 8 conditions. Motion approved 3-0 **21:41**

Agenda Item #2

Final Plat of Maeder Addition, Minor Subdivision

Location: Section 5, Township 20 North, Range 03 East, Tract 2 of COS 3564, PMM, Cascade County, MT. Initiated by Michael Maeder

Raina Leavens read the background. **23:08**

Commission comments **30:29**

Commissioner Larson made a **MOTION** that the Cascade County Commissioners after the consideration of the Staff Report and Final Plat Application approve the Final Plat for Maeder Addition Minor Subdivision due to the twenty (20) conditions being met. Motion carries: 3-0 **31:21**

Agenda Item #3

Motion to Approve or Disapprove:

Public Hearing

Contract 23-90 : Floodplain Variance Application #2023-013. Location: Parcel #2004650, 46 Eaton Avenue, Great Falls, MT. Initiated by Nila & Steven Fields

Recessed the Commission Meeting:

Madam Chair Grulkowski recessed the Regular Commission Meeting at 10:02 a.m.

Open the Public Hearing:

Madam Chair Grulkowski opened the Public Hearing at 9:55 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **32:32**

Staff Report:

Kevin Angland presented this contract by reading the background information. **33:05-55:48**

Call for staff comment:

Commissioners' conversation **56:02**

Call for Written Testimony:

Madam Chair Grulkowski called for written testimony. (See Exhibit A) **1:02:22**

Call for Applicant Comments:

Madam Chair called for Applicant comments **1:03:01**

Nila Fields spoke **1:03:23-1:14:24**

Call for Proponents:

Madam Chair Grulkowski called for Proponents. **1:14:55**

Bernard Cooper spoke. **1:15:14**

Greg Mackenstadt spoke **1:16:25**

Madam Chair Grulkowski called for Proponents, three times with no response. **1:20:10**

Call for Opponents:

Madam Chair Grulkowski called for Opponents, three times with no response. **1:20:25**

Call for Informational Witnesses:

Madam Chair Grulkowski called for Informational Witnesses, three times with no response.

1:20:31

Close to Public Hearing:

Madam Chair Grulkowski closed the Public Hearing at 10:51 a.m.

Resume Regular Commission Meeting:

Madam Chair Grulkowski reconvened the Commission Meeting at 10:55 a.m.

Call for a motion:

Madam Chair called for a Motion **1:21:18**

Commissioner Larson made a **MOTION** to adopt the Staff Report and Findings of Fact, testimony, and public comments, and **approve** the applicant's requested Variance from Cascade County Floodplain Regulation § 9.2(8) to allow a non-residential structure to have electrical components below the Base Flood Elevation on Parcel #2004650 with the conditions that were read previously being met. **Motion carries 3-0 1:24:41 R0445826**

Agenda Item # 4

Motion to Approve or Disapprove:

Public Hearing

Amended Preliminary Subdivision Plat Application for River Bend Estates Subdivision No. 4 Variance Request from Section 10-2 (A)(1). **Location: In East ½ of SW ¼ of the SW ¼ of Section 34, Township 20 North, Range 03 East, PMM, Cascade County, MT.** Initiated by Higgins Enterprises LTD

Recessed the Commission Meeting:

Madam Chair Grulkowski closed the Regular Commission Meeting at 10:56 a.m.

Open the Public Hearing:

Madam Chair Grulkowski opened the Public Hearing at 10:56 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **1:25:51** (See Exhibit A)

Staff Report:

Kevin Angland presented the Special Information for the Agenda Action Report for Agenda #4.

1:26:40- 1:44:44

Commissioners' discussion. **1:44:46**

Call for staff comments: None

Call for applicant comments:

Madam Chair Grulkowski called for applicant comments. **1:47:24**

Jason Crawford spoke. **1:47:43-1:49:33**

Rick Higgins spoke. **1:49:40-1:55:07**

Jason Crawford spoke. **1:55:10-1:55:58**

Commissioners' comments. **1:56:08**

Rick Higgins spoke. **1:57:11**

Staff comments. **1:58:48**

Jason Crawford spoke. **2:01:20**

Staff comments. **2:03:16**

Call for Proponents :

Madam Chair Grulkowski called for Proponents, three times with no response. **2:07:48**

Call for Opponents:

Madam Chair Grulkowski called for Opponents, three times with no response. **2:07:45**

Call for Informational Witnesses:

Madam Chair Grulkowski called for Informational Witnesses, three times with no response.

2:08:03

Close to Public Hearing:

Madam Chair Grulkowski closed the Public Hearing at 11:38 a.m.

Resume Regular Commission Meeting:

Madam Chair resumed regular commission meeting and 11:39 a.m.

Call for a Motion :

Madam Chair called for a Motion. **2:08:49**

Commissioner Briggs made a **MOTION** that after consideration of the Staff Report, adopt said Staff Report, and **deny** the River Bend Subdivision No. 4 variance application requesting a variance from Section 10-2(A)(1) upon finding that strict compliance with Cascade County Subdivision Regulation will not result in undue hardship.

Commissioner comments. **2:11:20**

Motion to deny passes 3-0 2:14:50

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

John Hubbard spoke. **2:15:41**

Adjournment: Madam Chair Grulkowski adjourned this Commission Meeting at 11.54 a.m.