



Gallatin County, Montana

311 West Main Street, Bozeman, MT 59715



Gallatin County Commission Meeting Minutes April 28, 2009

Description **Gallatin County Commissioners' Journal No. 51 April 28, 2009**

Date 04/28/2009 Location County Commission

Time Speaker Note

9:01:55 AM Chairman White Call to Order, Moment of Silence, Pledge of Allegiance. Present were Commissioners White, Skinner and Murdock, County Attorney Marty Lambert and Acting Clerk to the Board Veniece Lindemulder.

9:02:49 AM Chairman White Announcement: Reminder to the public that the meeting is being recorded, televised live by Bresnan Communications and streamed over the internet.

9:03:16 AM Chairman White There was no public comment on matters within the Commission's jurisdiction.

9:03:35 AM Acting Clerk to the Board Veniece Lindemulder Read the consent agenda as follows: 1. Approval of Claims, 2. Approval of Budget Transfer within the Conservation & Parks Budget from Contracted Services to Capital Outlay (\$50,000) for the Purchase of Equipment for the Construction and Maintenance of County Park Facilities, 3. Approval to Authorize Chair to Sign Declaration of Well Control Zone for Falcon Hallow Subdivision, 4. Approval of Contract with Xybix Systems, Inc. for 9-1-1 Communications Building Console Furniture, 5. Confirmation of the Finding of No Significant Impact Resulting From the I-90 East Belgrade Interchange Environmental Assessment, 6. Decision Regarding Final Plat Approval of the Altell Minor Subdivision by Lease to Accommodate a Telecommunications Tower (continued until 5/12/2009), 7. Decision on a Request for a Mortgage Exemption from Subdivision Review for Massey, 8. Correction of Term Expiration of Teresa Kredit, Amsterdam Rural Fire District Board Trustee, 9. Approval for Records Destruction for the Election Department.

9:05:08 AM Chairman White There was no public comment.

9:05:16 AM Chairman Skinner I'll move to approve the consent agenda as Veniece read it into record.

9:05:20 AM Commissioner Murdock Second

9:05:21 AM Chairman White And, for the record, excluding #6.

9:05:24 AM Chairman Skinner That's correct.

9:05:28 AM Motion passed unanimously.

9:05:35 AM Chairman White Opening of Sealed Bids for Roofing Projects at the Courthouse Annex & Law & Justice Center

9:05:53 AM Procurement Specialist Nick Borzak Opened the following bids: Ace Roofing - Annex, Option #1 \$84,997, Option #2 \$102,997; Law & Justice Center, Option #1, \$27,997, Option #2, \$34,997; Thomas Built-Up Roofing - Law & Justice Center, Option #1, \$15,000, Option #2 \$17,400; Annex, Option #1 \$37,286, Option #2 \$43,794 McLees, Inc. - Annex, Option #1 \$42,416, Option #2 \$42,980, Law & Justice Center, Option #1, \$19,550, Option #2 \$19,990; Quality Roofing - Annex, Option #2 \$91,350, Law & Justice Center, Option #2 \$46,985. Bids have been taken under advisement and will return with a recommendation.

9:11:01 AM Discussion and Questions

9:11:11 AM Chairman White There was no public comment.

9:11:18 AM No action taken.

9:11:28 AM Chairman White Proclamation Declaring the Week of April 26 through May 2, 2009 National Crime Victims' Rights Week

9:11:43 AM County Attorney Marty Lambert Presentation

9:15:56 AM There was no public comment.

9:16:03 AM Discussion and Questions

9:16:28 AM County Attorney Marty Lambert Read the Proclamation

9:18:42 AM Commissioner Murdock So moved that we declare this National Crime Victims' Week.

9:18:46 AM Chairman Skinner Second

9:18:48 AM Board discussion including Marty Lambert

9:21:04 AM Motion passed unanimously.

9:21:14 AM Chairman White Proclamation Declaring the Month of May as National Drug Court Month in Gallatin County

9:21:25 AM Court Services Director Eric Bryson Presentation, read the Proclamation.

9:23:18 AM There was no public comment.

9:23:27 AM Board discussion

9:25:29 AM Chairman Skinner I'll move that we adopt this Proclamation recognizing National Drug Court Month, May 2009.

9:25:36 AM Commissioner Murdock Second

9:25:37 AM Motion passed unanimously.

9:25:48 AM Chairman White Presentation of Capital Improvement Program Committee (CIPC) FY 2010 Budget Priorities and Acceptance Thereof by County Commission

9:26:01 AM David Weaver, Acting Chair of CIP Committee Presentation

9:27:57 AM Discussion and Questions

9:28:41 AM There was no public comment.

9:28:54 AM County Attorney Marty Lambert Presentation

9:30:57 AM Discussion between the Commission, David Weaver and Marty Lambert

9:38:52 AM Chairman Skinner I'll move to accept the presentation and the letter submitted by the CIP Committee.

9:38:58 AM Commissioner Murdock Second

9:39:09 AM County Commission Administrator Glenda Howze Comments

9:39:30 AM Discussion between the Commission and David Weaver

9:40:08 AM Motion passed unanimously.

9:40:15 AM Chairman White Public Hearing and Decision for the County to Issue a Commitment to Purchase Hope House for \$1 Million, Subject to Appraisal and Less any Costs of Obtaining Funds; and Subject to a 10-Year Building Lease and Operating Agreement with Western Montana Mental Health Center Details to be Agreeable to County

9:40:54 AM Patty Kent, Director of Housing & Development, Western Montana Mental Health Center Presentation

9:47:03 AM Public Comment Scott Malloy-Director of Western Montana Mental Health, Gallatin County Sheriff Jim Cashell, Chris Budeski, Shelly Johnson-Director of Alcohol & Drug Services, Tom Peluso, Lt. Jeff Wade, Vicki Groeneweg-Bozeman Deaconess Hospital, Eric Bryson-Director Court Services, Jacob Wagner-Local Advisory Council, Dennis Hardin, Lt. Carolyn Robinson-Support Services, Dennis Cox, Glenda Howze, Christina Powell, Diane Conti, Earl Cronswell, Larry Watson-Grants & Projects Administrator, Jennifer Collins, Jamie Grunder-Program Supervisor of Hope House and Scott Bechtle.

10:39:44 AM Patty Kent, Director of Housing & Development, Western Montana Mental Health Center Closing comments

10:41:07 AM Chairman White Closed public comment.

10:41:14 AM Board discussion including Patty Kent

10:42:50 AM Commissioner Murdock I move that the County agreed to borrow \$1,000,000 toward the purchase of the Western Mental Health Center, Hope House Building at the Bozeman Deaconess Campus. This purchase shall be contingent on the parties mutual consent of the terms of the purchase agreement, which is currently being drafted, and subject to appraisal and less any cost of borrowing.

10:43:14 AM Chairman Skinner Second

10:43:18 AM Board discussion including County Attorney Marty Lambert

10:53:17 AM Motion passed unanimously.

10:53:23 AM Chairman White Recess

11:00:51 AM Chairman White Reconvene to Meeting. Public Hearing and Decision for Cancellation of Personal Property/Mobile Homes Delinquent Taxes 5 Years and Older

11:01:07 AM Treasurer Kim Buchanan Presentation

11:02:12 AM Discussion and Questions

11:06:33 AM There was no public comment.

11:06:53 AM Commissioner Murdock I move that we accept the Treasurer's recommendation per her schedule on cancellation of personal property and mobile home delinquent taxes 5 years and older.

11:07:10 AM Chairman Skinner Second

11:07:13 AM Motion passed unanimously.

11:07:28 AM Chairman White Public Hearing and Decision on a Resolution Regarding the Sale of Gallatin County Tax Deed Property

11:07:34 AM Finance Director Ed Blackman Requests that this item be pulled indefinitely until matters are resolved with the County Attorney's office.

11:07:54 AM No action taken.

11:07:58 AM Chairman White Public Hearing and Decision on a Resolution to Amend the Gallatin County FY 2009 Capital Projects Operating Budget to Include \$10,000,000 from Bond Proceeds Approved by the Voters for the Construction of a New Detention Center and Unanticipated Revenues of \$26,522 from the State Judicial Branch Office of Court Administrator for Keyless Door Entry System

11:08:25 AM Finance Director Ed Blackman Presentation

11:09:56 AM There was no public comment.

11:10:03 AM Chairman Skinner Move to approve Resolution #2009-058.

11:10:07 AM Commissioner Murdock Second

11:10:14 AM Motion passed unanimously.

11:10:27 AM Chairman White Public Hearing and Decision on a Resolution to Amend the CDBG REACH Fund FY 2009 Operating Budget to Include Unanticipated Revenues in the Amount of \$119,911 Received from the Montana Department of Commerce Home Grant for the Remodel of the REACH Facility

11:10:47 AM Grants Administrator Larry Watson Presentation

11:11:25 AM There was no public comment.

11:11:31 AM Chairman Skinner Move to approve Resolution #2009-059.

11:11:35 AM Commissioner Murdock Second
11:11:39 AM Motion passed unanimously.
11:11:48 AM Chairman White Public Hearing and Decision on a Term Extension of the Improvements Agreement for the Rublein Minor Subdivision
11:11:57 AM County Planner Christopher Scott Staff report
11:14:52 AM There was no public comment.
11:14:58 AM Commissioner Murdock I move that we approve, or grant the extension of the Improvements Agreement to the Rublein Minor Subdivision as presented by staff.
11:15:09 AM Chairman Skinner Second
11:15:13 AM Motion passed unanimously.
11:15:22 AM Chairman White Public Hearing and Decision on Level One Approval of an Application for Open Space Bond Funds for the Purchase of a Conservation Easement on the Nord/Stradley Property
11:15:33 AM Open Lands Coordinator Mike Harris Presentation
11:16:38 AM Discussion and Questions
11:17:02 AM Kelly Pohl, Gallatin Valley Land Trust PowerPoint Presentation
11:23:34 AM Discussion and Questions
11:23:52 AM There was no public comment.
11:24:01 AM Chairman Skinner Move to approve level one approval for the Nord/Stradley property conservation easement.
11:24:10 AM Commissioner Murdock Second
11:24:17 AM Motion passed unanimously.
11:24:25 AM Chairman White Public Hearing and Decision on a Request for an Agricultural Exemption from Subdivision Review for Madden
11:26:05 AM County Planner Sean O'Callaghan Staff report and PowerPoint presentation
11:29:04 AM Discussion and Questions
11:33:02 AM Ray Center, Rocky Mountain Engineers Presentation on behalf of applicants There was no public comment. Kathleen T. Madden and Jim & Justine Heisel
11:33:42 AM There was no public comment.
11:33:50 AM Chairman Skinner Comments, I'll move to approve the ag exemption for Madden.
11:34:06 AM Commissioner Murdock Second
11:34:08 AM Board discussion
11:34:27 AM Motion passed unanimously.
11:34:32 AM Chairman White Public Hearing and Decision on a Request for a Relocation of Common Boundary Lines Exemption from Subdivision Review for Madden and Heisel
11:34:43 AM County Planner Sean O'Callaghan Staff report
11:37:38 AM There was no public comment.
11:37:45 AM Commissioner Murdock I move that we approve the relocation of common boundary lines exemption for Madden and Heisel, this portion anyway, as presented by staff.
11:37:58 AM Chairman Skinner Second
11:38:00 AM Board discussion/Findings
11:38:55 AM Motion passed unanimously.
11:39:02 AM Chairman White Public Hearing and Decision on a Request for a Relocation of Common Boundary Lines Exemption from Subdivision Review for Heisel
11:39:11 AM County Planner Sean O'Callaghan Staff report
11:40:50 AM There was no public comment.
11:40:57 AM Commissioner Murdock Move to approve this relocation of common boundaries.
11:41:02 AM Chairman Skinner Second
11:41:06 AM Board discussion/Findings
11:41:46 AM Motion passed unanimously.
11:42:03 AM Chairman White Public Hearing and Decision on a Resolution Extending the Gallatin County Interim Zoning District, Zoning Regulation and Zoning Map that Regulates Operations that Mine Sand and Gravel and Operations that Mix Concrete or Batch Asphalt for a Period of One Year
11:42:19 AM Belgrade City-County Planner Heidi Jensen Presentation
11:46:38 AM Public Comment Rich Morse, Don Seifert and Dick Huttinga
11:50:53 AM Discussion between the Commission, Heidi Jensen and County Attorney Marty Lambert
12:05:02 PM Chairman Skinner I'll move to extend the Interim Zoning Regulations that regulate the operations that mine sand and gravel.
12:05:12 PM Commissioner Murdock Second
12:05:17 PM Board discussion/Findings including County Planner Tom Rogers and Heidi Jensen
12:11:01 PM Motion passed 2:1. Chairman White opposed.
12:11:10 PM Meeting adjourned.