

**JOURNAL OF INFORMAL SPECIAL JOINT WORK SESSION
OF THE GREAT FALLS CITY COMMISSION AND
CASCADE COUNTY BOARD OF COMMISSIONERS
CIVIC CENTER, GIBSON ROOM 212
MARCH 2, 2017**

CALL TO ORDER: 3:00 p.m.

City Commission members present: Bill Bronson, Tracy Houck and Fred Burow. Also present were City Manager Greg Doyon, City Attorney Sara Sexe, Police Chief Dave Bowen, Lt. Jack Allen, and City Clerk Lisa Kunz

Cascade County Board of Commissioners present: Jane Weber and Jim Larson. Also present was Rina Fontana-Moore, Cascade County Clerk and Recorder/Elections Administrator

Legislators present: Rob Cook, HD 18; Brad Hamlet, HD 23; Tom Jacobson, HD 21; Wendy McKamey, HD 19; Jean Price, HD 24; Casey Schreiner, HD 26; Jeremy Trebas, HD 25; Ed Buttrely, SD 11; Brian Hoven, SD 13; Llew Jones, SD 9; and, Carlie Boland, SD 12

Other Officials present: Dr. Susan Wolff, CEO/Dean Great Falls College MSU; Shane Etwiler, President/CEO Great Falls Area Chamber of Commerce; and, Brett Doney, President/CEO Great Falls Development Authority

Handouts provided: City of Great Falls Bill Watch List and Transmittal Break 2017 Montana Legislation Affecting Cascade County.

1. Welcome and Introduction

City Commissioner Bill Bronson and County Commissioner Jane Weber welcomed everyone.

2. Public Comment

There were no public comments.

3. General Review and Discussion of 2017 Legislation Affecting the Great Falls and Cascade County Region

City Commissioner Bill Bronson reported on the issues that concern the City of Great Falls. Specifically, he discussed the following bills regarding Tax Increment Financing:

Support

SB 27 – reporting requirements and public hearings

HB 76 – remittance terms for unused portions of TIF increment

HB 396 – meet and confer requirements with county and school districts (replaced HB 250)

Not Opposed

HB 30 – removes levies adopted after TIF created from TIF calculations

HB 134 – school facilities finding bill (not opposed with amendment discussed) MLCT opposes HB 134.

Opposed

HB 403 – remittance required if tax increment exceeds a certain level

HB 413 – clawback/recapture provisions

HB 573 – new proposal to exclude the 95 mills from TIF calculation – would only apply to new TIF districts

Commissioner Bronson noted that the City supports HB 473 – infrastructure finding – gas tax – allocations for local government. On the general watch list, the City opposes SB 98 – Property Fairness Act, and HB 562 – new attempt to regulate local ordinances on cell phone use.

City Attorney Sara Sexe discussed significant concerns the City has regarding landlord-tenant related bills: HB 231, HB 404, HB 559, SB 177, SB 239, and SB 276. She explained that it isn't appropriate to bring in law enforcement to those kinds of civil arrangements. Law enforcement officers will be asked to determine whether documents between the landlord and tenant, or the tenant and sub-tenant, are valid, enforceable, or are actual contracts. It puts law enforcement officers into a situation of making evaluations that really belong in the civil court system. Another concern is if a judgment is made inappropriately it may subject the City or County to a liability for deprivation of liberty interests. Frankly, the landlords need to have that be a process that they undertake themselves in and through the civil processes.

Police Chief Dave Bowen agreed with City Attorney Sexe. He would appreciate the legislators help on these bills.

County Commissioner Jane Weber thanked Senator Fitzpatrick and the senators that voted in favor of SB 305: Special Elections to Fill US Congressional Seat by Mail Ballot. She commented that this unplanned election is a big burden on the County. If the County is required to have a polling place, it will cost Cascade County \$145,000.

Rina Fontana-Moore, Cascade County Clerk and Recorder/Elections Administer, reported that SB 305 is now in the house judiciary committee. She urged the legislators to work hard to get it out of that committee. Cascade County is at 75% for mail ballots and has 41,000 voters, so 30,818 active voters will get a mail ballot regardless if her office is required to open a polling location or not. Ms. Moore reported that her office runs full mail ballot elections for the municipal and school elections because those bodies know it is half the cost. HB 305 leaves it up to the discretion of the County Commissioners in each individual county to determine whether or not to run a mail ballot or poll election. She further discussed the serious time constraints if required to run a poll election. SB 305 is specifically for this one special election.

Senator Buttrey discussed the difficult time frame even for the mail ballot special election.

Commissioner Weber commented that the County has been doing all mail ballot elections for the school and city. There is no issue of voter fraud.

Ms. Moore further noted a possible issue regarding the 85 day deadline for the Great Falls Development Authority's (GFDA) economic development bond to get on the ballot.

GFDA President/CEO Brett Doney reported that what is being proposed is a mill levy for purposes of economic development that would authorize the County Commission to assess up to 3 mills each year. GFDA would make a pitch each year to the County Commission to use some of it for active economic development to work with entrepreneurs, existing businesses and to attract new businesses to the area. A big portion of the money would be used for infrastructure to close deals.

Commissioner Weber continued discussion on the following bills affecting Cascade County:

Oppose

HB 565 – Revise Entitlement Share Laws

HB 325 – Protection of Public Health from Sale and Distribution of Raw Milk

Support

HB 410 – Increasing Certain Vehicle Registration Fees for Noxious Weed Funding

HB 152 – Authorize Counties to Establish Junk Vehicle Capital Improvement Funds

HB 11 – TSEP Emergency Grants and Planning Grants for Infrastructure Projects

HB 14 – Creating Jobs and Providing Funding for Capital and Infrastructure Projects

HB 387 – Authorize a 12-Bed Intensive Behavioral Center and Extend MCA Closure Date

HB 405 – Generally Revise Laws Applicable to Local Government

HB 445 – Authorize Counties to Approve Phased Subdivisions

With regard to HB 383 – Sheriffs' Retirement System Funding – Commissioner Weber commented that the County would like to do something similar to the Health Insurance Permissive Medical Levy to raise only the additional revenue required to meet the costs associated with funding the shortfall in the Sheriff's Retirement System. Members of the Montana Sheriffs and Peace Officers Association are concerned because there is an amendment on this bill to increase the retirement to 25 years for sheriffs. All other peace officers in the state are on a 20 year retirement program.

With regard to the 2019 66th Legislative Session, Commissioner Weber asked the legislators to keep in mind the need for additional CDBG monies for water and sewer projects. The request next session will be the removal of the limitation of one active CDBG infrastructure project per county.

Commissioner Bronson noted that cities are still working on the implementation of Marsy's Law. Everyone is aware of the concerns that law enforcement expressed. While recognizing that cities have to implement and carry the law out, there is a certain risk to it. The City would appreciate legislators continued support to get over those hurdles.

Dr. Susan Wolff commented that, with the potential budget cuts, the Board of Regents will be discussing tuition at its May meeting. She urged the legislators to continue to be very supportive of not having guns/weapons on campus or at schools.

Great Falls Area Chamber of Commerce new President/CEO Shane Etwiler introduced himself.

GFDA President/CEO Brett Doney noted that primary items GFDA wants protected this legislative session are Tax Increment Financing and key economic development programs (manufacturing extensions, small business development and primary worker training centers). Additionally, he commented that he will be testifying against SB 215 that affects companies using 100 acre feet or more of water per year.

A discussion continued about a bill that came through house appropriations to increase the number of district court judges. Representative Hamlet noted that it was the idea that Cascade County didn't want another judge. Commissioner Weber responded that she submitted a letter in favor. County Commissioner Joe Briggs was highly opposed. Cascade County has the highest meth problem per county in the state, and the civil docket is backlogged. It was suggested that maybe something could be amended before it goes to the senate. When it comes to Great Falls, Representative Schreiner commented that the delegation usually sticks together. He continued that there was an opportunity to get something for Cascade County and it was disheartening to learn that it was folks back home that ended up killing it for us. It makes it that much harder to get that judge in the future since it was turned down this session, when the problem will be way worse than it is now. Commissioner Larson added he was neutral, but had concerns about the space and the cost to renovate the courthouse if Cascade County did get another judge.

Commissioner Burow requested support to pursue a full interchange on the northwest side of Great Falls on the frontage road. Representative Jacobson reported that the information received from Manager Doyon was addressed during a meeting with Department of Transportation Director Tooley. There is a process he shared with Manager Doyon of what the next steps are. Manager Doyon added that the City Transportation Planner is looking into it to see what is workable and what is out there for assistance.

Commissioner Burow requested support for HB 333 that allows law enforcement and school officials to administer a certain medication as a life saving measure in a drug overdose situation.

4. Questions from Legislators

Representative Jacobson reported that a number of the TIF bills are not going to get out of the tax committee. They have agreed to bundle the bills and have studied a lot of them during the last interim. Now a time range will be put on some of the bills. He highly recommended that the City and County track these related bills and be responsive during the next interim.

He further suggested being ready for the aquatic invasive species legislation. The State has set aside an emergency fund of \$1.5 million. They are looking for another \$5 million from various sources to match another \$5 million from the federal government. They are doing everything

they can to get on top of this before it gets out of hand. Commissioner Weber responded that the City and County DES are working collaboratively to help with the education/notification on the local level.

GFDA President/CEO Doney inquired if there was any thought that there would be some compromise on infrastructure this session. Discussion followed regarding work that needs to be done, including bonding.

5. Thank You and Wrap Up

Appreciation was expressed to Great Falls community leaders that have traveled to Helena to support the legislators. The presence is meaningful. Appreciation was expressed to the legislators for their work, time, as well as for the Friday status calls.

ADJOURN

There being no further discussion, Commissioner Bronson adjourned the informal special joint work session of March 2, 2017, at 4:23 p.m.